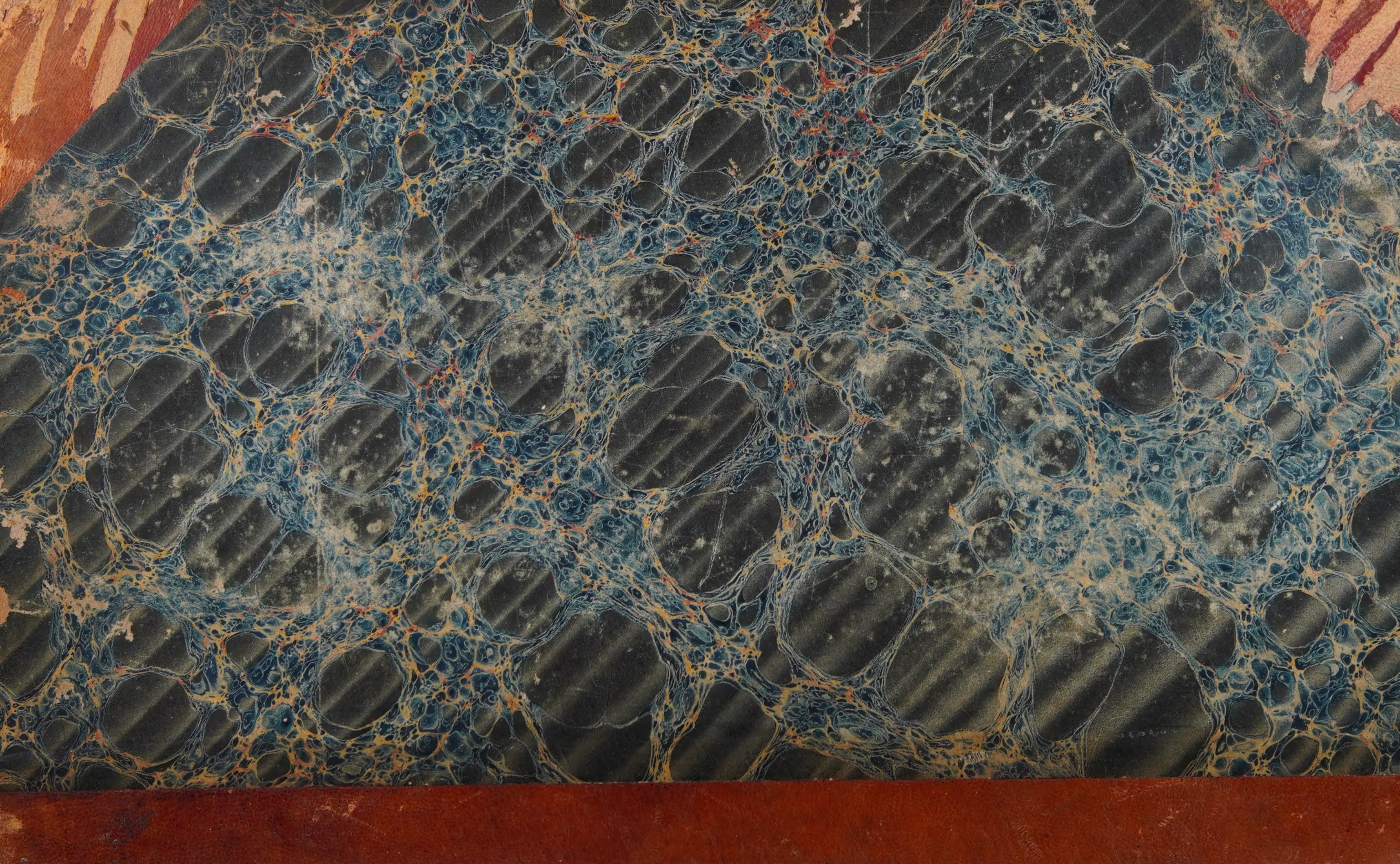

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A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES

PASSED IN THE

Thirtieth and Thirty-first Years

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the SECOND SESSION of the NINETEENTH PARLIAMENT of the United Kingdom of GREAT BRITAIN AND IRELAND.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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1867.

A

TABLE

OF

All the STATUTES passed in the SECOND Session of the NINETEENTH Parliament of the United Kingdom of GREAT BRITAIN AND IRELAND.

30° & 31° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to empower the Lord Lieutenant or other Chief Governor or Governors of* Ireland *to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.*

II. An Act for removing Doubts as to the Validity of certain Marriages between *British* Subjects at *Odessa.*

III. An Act for the Union of *Canada*, *Nova Scotia*, and *New Brunswick*, and the Government thereof; and for Purposes connected therewith.

IV. An Act to apply the Sum of Three hundred and sixty-nine thousand one hundred and eighteen Pounds Five Shillings and Sixpence out of the Consolidated Fund to the Service of the Years ending the Thirty-first Day of *March* One thousand eight hundred and sixty-six and the Thirty-first Day of *March* One thousand eight hundred and sixty-seven.

V. An Act to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise.

VI. An Act for the Establishment in the Metropolis of Asylums for the Sick, Insane, and other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for other Purposes relating to Poor Relief in the Metropolis.

VII. An Act to apply the Sum of Seven million nine hundred and twenty-four thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty first Day of *March* One thousand eight hundred and sixty-eight.

VIII. An Act for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen.

IX. An Act to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of *Dublin*, to all Persons irrespective of their religious Creed; and to amend the Act 40 *Geo.* 3. (*Ireland*), Chapter Eighty-four.

X. An Act to amend the Law relating to the Duties and Drawbacks on Sugar.

XI. An Act to facilitate the Recovery of Arrears of Alimony in certain Cases under Decrees and Orders of the Provincial and Diocesan Courts in *Ireland*.

XII. An Act to amend the Law relating to Criminal Lunatics.

XIII. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

XIV. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

XV. An Act for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships.

XVI. An Act for authorizing a Guarantee of Interest on a Loan to be raised by *Canada* towards the Construction of a Railway connecting *Quebec* and *Halifax*.

XVII. An Act to regulate the Court and Office of the Lyon King of Arms in *Scotland*, and the Emoluments of the Officers of the same.

XVIII. An Act for the Preservation and further Protection of Oyster Fisheries.

XIX. An Act to amend the Petty Sessions Act (*Ireland*), 1851, as to the backing of Warrants.

XX. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

XXI. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Gainsborough*, *Farsley*, *Bideford*, *Canterbury*, *Chepping Wycombe*, *Worthing*, and *Wednesfield*; and for other Purposes relative to certain Districts under that Act.

XXII. An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."

XXIII. An Act to grant and alter certain Duties of Customs and Inland Revenue, and for other Purposes relating thereto.

XXIV. An

XXIV. An Act to amend an Act of the Twenty-eighth and Twenty-ninth Years of Her present Majesty, Chapter Sixty-one, for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal.

XXV. An Act to further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to empower the Lord Lieutenant or other Chief Governor or Governors of* Ireland *to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.*

XXVI. An Act to provide for the Conversion of Twenty-four million Pounds Sterling of the National Debt into Terminable Annuities.

XXVII. An Act to allow Warehoused *British* Spirits to be bottled for Home Consumption.

XXVIII. An Act to amend "The Labouring Classes Dwellings Acts, 1866."

XXIX. An Act to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies.

XXX. An Act to apply the Sum of Fourteen million Pounds out of the Consolidated Fund to the Service of the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

XXXI. An Act for raising the Sum of One million seven hundred thousand Pounds by Exchequer Bonds for the Service of the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

XXXII. An Act to authorize further Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; for the Purposes of the Public Works (Manufacturing Districts) Acts, 1863, 1864; and to amend the Acts authorizing Advances for Public Works.

XXXIII. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Balbriggan*, *Cromer*, *Dingwall*, *Girvan*, *Rothesay*, and *Seaford*.

XXXIV. An Act for limiting the Period of Enlistment in Her Majesty's Army.

XXXV. An Act to remove some Defects in the Administration of the Criminal Law.

XXXVI. An Act to authorize the Quarter Sessions of the Peace for the Borough and City of *Chester* and County of the same City, and the Portmote and Pentice Courts for the City of *Chester*, to be held at the Castle of *Chester*, and to confer additional Powers upon the Sheriff of the County of *Chester* in exoneration of the Sheriff of the City of *Chester*.

XXXVII. An Act to amend and consolidate the Public Libraries Acts (*Scotland*).

XXXVIII. An Act for the Preservation of *Bunhill Fields* Burial Ground in the County of *Middlesex* as an open Space; and for other Purposes relating thereto.

XXXIX. An Act for amending the Law with respect to the Accounts of the Receiver for the Metropolitan Police District; and for other Purposes relating to the Metropolitan Police.

XL. An Act to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at *Westminster*, and to construct an Embankment on the North Shore of the River *Thames* in the Parish of *Saint John the Evangelist, Westminster*.

XLI. An Act to make further Provision for the Enlargement of the National Gallery.

XLII. An Act to amend the Law relating to the Landlord's Right of Hypothec in *Scotland*, in so far as respects Land held for Agricultural or Grazing Purposes.

XLIII. An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (*Ireland*) Act, 1863," and the Acts amending the same.

XLIV. An Act to amend the Constitution, Practice, and Procedure of the Court of Chancery in *Ireland*.

XLV. An Act to extend and amend the Vice-Admiralty Courts Act, 1863.

XLVI. An Act to amend the Law relating to the Office of County Treasurer in *Ireland*.

XLVII. An Act to amend the Companies Act, 1862, and also the Act passed in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, intituled *An Act to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments*.

XLVIII. An Act for amending the Law of Auctions of Estates.

XLIX. An Act to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the District of *Halifax*; and for other Purposes relative to the said District under that Act.

L. An Act to afford further Facilities for the Erection of certain Bridges in *Ireland*.

LI. An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

LII. An Act to alter and amend the Acts relating to the *British* White Herring Fishery.

LIII. An

LIII. An Act to authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the *Limerick* Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of *Wellesley Bridge* in the City of *Limerick* to the Commissioners of Public Works; and for other Purposes.

LIV. An Act to amend the Law of Charitable Donations and Bequests in *Ireland*.

LV. An Act to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in *Scotland* may be granted.

LVI. An Act to authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the *Galway* Harbour Commissioners, and to make Arrangements for the Payment of the Amounts for which such Debt and another Debt are to be compounded; and for other Purposes.

LVII. An Act to authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt due by the Commissioners of the Bridge across the River *Blackwater* near the Town of *Youghal* in the County of *Cork*, and for the Transfer of the said Bridge to the Grand Juries of the Counties of *Cork* and *Waterford;* and for other Purposes relating thereto.

LVIII. An Act to confirm a Provisional Order under the General Police and Improvement (*Scotland*) Act, 1862, relating to the City of *Edinburgh*.

LIX. An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary.

LX. An Act to amend certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*.

LXI. An Act for confirming a Provisional Order made by the Board of Trade relating to the Construction of a Pier at *Cleethorpes* in the County of *Lincoln*.

LXII. An Act to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, the Invocation of the Saints, and the Sacrifice of the Mass, as practised in the Church of *Rome;* and to render it unnecessary to take, make, or subscribe the same as a Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right.

LXIII. An Act for the Appointment of a Stipendiary Magistrate for *Chatham* and *Sheerness* in the County of *Kent*.

LXIV. An Act to make further Provision for the Despatch of Business in the Court of Appeal in Chancery.

LXV. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Sheffield, Derby, Sherborne, Royton, Bedford* (*Lancashire*), *Slough, Sandown, Burton-upon-Trent, West Cowes,* and *Accrington*.

LXVI. An

LXVI. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

LXVII. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Oswaldtwistle*, *Devizes*, *Layton-with-Warbrick* (*Blackpool*), and *Harrogate*, and for other Purposes relative to certain Districts under the said Act.

LXVIII. An Act to provide for the better Despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law.

LXIX. An Act to explain the Operation of an Act passed in the Seventeenth and Eighteenth Years of Her present Majesty, Chapter One hundred and thirteen, intituled *An Act to amend the Law relating to the Administration of deceased Persons.*

LXX. An Act to provide for keeping safely the Public Records of *Ireland.*

LXXI. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales.*

LXXII. An Act for abolishing the Office of Vice-President of the Board of Trade and substituting a Secretary with a Seat in Parliament.

LXXIII. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Bray* and *Irvine.*

LXXIV. An Act to extend the "Trades Union Commission Act, 1867."

LXXV. An Act to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office.

LXXVI. An Act to repeal certain Ordinances made for the Cathedral or House of *Christ Church* in *Oxford* by the Commissioners appointed under the *Oxford University* Act, 1854, and to substitute a new Ordinance in lieu thereof.

LXXVII. An Act to validate certain Proceedings of the Grand Jury of the County of *Wexford.*

LXXVIII. An Act to amend The *Tyne* Pilotage Order Confirmation Act, 1865.

LXXIX. An Act to confirm certain Provisional Orders under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Dundee.*

LXXX. An Act to define the Duties of the Assessor of Railways in *Scotland* in making up the Valuation Roll of Railways, and to amend in certain respects the Valuation of Lands (*Scotland*) Acts.

LXXXI. An Act to simplify the Forms of Prorogation during the Recess of Parliament.

LXXXII. An

LXXXII. An Act to alter certain Duties and to amend the Laws relating to the Customs.

LXXXIII. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Ramsgate*, *Tunbridge Wells*, *Bognor*, *Newport*, *Chesterfield*, *Malvern*, *Great Harwood*, and *Harrow*; and for other Purposes relating to certain Districts under that Act.

LXXXIV. An Act to consolidate and amend the Laws relating to Vaccination.

LXXXV. An Act to include the whole of the Burgh of *Galashiels* within the County, Sheriffdom, and Commissariot of *Selkirk*.

LXXXVI. An Act to alter certain Duties of Customs in the *Isle of Man*.

LXXXVII. An Act to facilitate the Transaction of Business in the Chambers of the Judges of the High Court of Chancery, and in the Offices of the Registrars and Accountant General of the said Court, and in Lunacy.

LXXXVIII. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

LXXXIX. An Act to render perpetual an Act passed in the Session holden in the Twenty-seventh and Twenty-eighth Years of Her present Majesty, intituled *An Act to permit for a limited Period Compositions for Stamp Duty on Bank Post Bills of Five Pounds and upwards in* Ireland.

XC. An Act to alter certain Duties and to amend the Laws relating to the Inland Revenue.

XCI. An Act to authorize an Alteration in the Mode of Repayment of a Loan made by the *West India* Relief Commissioners to the Island of *Dominica*.

XCII. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers.

XCIII. An Act to legalize certain Marriages solemnized at *Morro Velho* in *Brazil*.

XCIV. An Act to provide for the Inspection of Weights and Measures, and to regulate the Law relating thereto in certain Parts of the Police District of *Dublin* Metropolis.

XCV. An Act to amend the Laws regulating the Superannuation Allowances of the *Dublin* Metropolitan Police.

XCVI. An Act to facilitate the Recovery of certain Debts in the Sheriff Courts in *Scotland*.

XCVII. An Act to facilitate the Administration of Trusts in *Scotland*.

XCVIII. An Act to make better Provision for the Administration of the Patriotic Fund.

XCIX. An Act for confirming an amended Scheme of the Charity Commissioners for the Charity called Sir *John Port*'s Hospital in *Etwall* and School in *Repton* in the County of *Derby*.

C. An Act to make further Provision respecting the Naval Knights of *Windsor*.

CI. An Act to consolidate and amend the Law relating to the Public Health in *Scotland*.

CII. An Act further to amend the Laws relating to the Representation of the People in *England* and *Wales*.

CIII. An Act for the Extension of the Factory Acts.

CIV. An Act to amend and extend as to Railways in *Ireland* the Provisions of an Act of the Seventh and Eighth Years of *Victoria*, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways*.

CV. An Act to establish Equitable Councils of Conciliation to adjust Differences between Masters and Workmen.

CVI. An Act to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor.

CVII. An Act to uncollegiate the Parish of *Canongate* within the Parliamentary Burgh of *Edinburgh*, to reduce the Amount of the Annuity Tax within the said Parish, and to make Provision for the Maintenance of Two Ministers therein.

CVIII. An Act to provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations.

CIX. An Act for extinguishing certain Rights of Way over and along *Barrack Lane* in the Borough of *New Windsor* in the County of *Berks*.

CX. An Act to consolidate and amend the Acts for rendering effective the Service of *Chelsea* and Naval Out-Pensioners and Pensioners of the *East India* Company, and for establishing a Reserve Force of Men who have been in Her Majesty's Service.

CXI. An Act to form a Reserve of Men in the Militia to join Her Majesty's Army in the event of War.

CXII. An Act to provide further Facilities for the Repair of Roads, Bridges, and other Public Works in *Ireland* in case of sudden Damage.

CXIII. An Act for facilitating the Distribution of Sewage Matter over Land, and otherwise amending the Law relating to Sewer Authorities.

CXIV. An

CXIV. An Act to extend the Jurisdiction, alter and amend the Procedure and Practice, and to regulate the Establishment of the Court of Admiralty in *Ireland*.

CXV. An Act to remove Disqualifications of Justices of the Peace in certain Cases.

CXVI. An Act to amend the Act of the Twenty-eighth and Twenty-ninth *Victoria*, Chapter Fifty, for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in *Ireland*.

CXVII. An Act to amend the Industrial and Provident Societies Acts.

CXVIII. An Act to provide for the Appointment of the Officers and Servants of District Lunatic Asylums in *Ireland*, and to alter and amend the Law relating to the Custody of dangerous Lunatics and dangerous Idiots in *Ireland*.

CXIX. An Act for the Protection of Naval Stores.

CXX. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, and to appropriate the Supplies granted in this Session of Parliament.

CXXI. An Act to continue certain Turnpike Acts in *Great Britain*, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads.

CXXII. An Act for the Application of Surplus Fees paid by Suitors in the Superior Courts of Law and other Courts towards the Expenses of providing the intended Courts of Justice; and for other Purposes.

CXXIII. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Exeter*, *Devonport*, *Reading*, *Warley*, and *Midgley*, and for other Purposes relative to certain Districts under the said Act.

CXXIV. An Act to amend The Merchant Shipping Act, 1854.

CXXV. An Act to continue and amend the Acts relating to Contagious or Infectious Diseases among Cattle and other Animals.

CXXVI. An Act to amend the Law relating to Railway Companies in *Scotland*.

CXXVII. An Act to amend the Law relating to Railway Companies.

CXXVIII. An Act for the Protection of War Department Stores.

CXXIX. An Act to alter and regulate the Official Establishment of the High Court of Chancery and of the Superior Courts of Common Law in *Ireland*.

CXXX. An Act for the Regulation of Agricultural Gangs.

CXXXI. An Act to amend "The Companies Act, 1862."

CXXXII. An

CXXXII. An Act to remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

CXXXIII. An Act relating to the Consecration of Churchyards.

CXXXIV. An Act for regulating the Traffic in the Metropolis, and for making Provision for the greater Security of Persons passing through the Streets, and for other Purposes.

CXXXV. An Act for the Establishment of a Table of Fees to be taken on the Consecration of Churches, Chapels, and Burial Grounds, on the Ordination of Deacons and Priests, and on Visitations.

CXXXVI. An Act to enable the Courts of Referees to administer Oaths and award Costs in certain Cases, in the same Manner as Committees on Private Bills.

CXXXVII. An Act to validate certain Orders made by the Lord Lieutenant in Council under the Church Temporalities Acts in *Ireland*, and to increase the Stipends payable by the Ecclesiastical Commissioners for *Ireland* to certain Incumbents in *Ireland*.

CXXXVIII. An Act to authorize the Extension of the Period for Repayment of Advances made under The Railway Companies (*Ireland*) Temporary Advances Act, 1866.

CXXXIX. An Act to confirm Provisional Orders for the *Quinagh* and *Parsonstown* Drainage Districts respectively.

CXL. An Act to authorize a Sale or Lease of the Royal Military Canal and its collateral Works; and for other Purposes.

CXLI. An Act to amend the Statute Law as between Master and Servant.

CXLII. An Act to amend the Acts relating to the Jurisdiction of the County Courts.

CXLIII. An Act to continue various expiring Laws.

CXLIV. An Act to enable Assignees of Policies of Life Assurance to sue thereon in their own Names.

CXLV. An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*.

CXLVI. An Act for regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act to amend an Act passed in the Thirteenth Year of Her Majesty's Reign, intituled *An Act to amend an Act passed in the Eleventh Year of the Reign of King* George *the First, for regulating Elections within the City of* London, *and for preserving the Peace, good Order, and Government of the said City.*

ii. An Act for more effectually lighting *New Windsor* and its Neighbourhood with Gas.

iii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to borrow a further Sum of Money on the Security of the *Bridge House* Estates, to complete the rebuilding of *Blackfriars Bridge*, and for the Purchase of *Southwark Bridge;* and for other Purposes.

iv. An Act for conferring Powers on the *Manchester, Sheffield, and Lincolnshire* Railway Company with respect to the Construction and Abandonment of Works, and in relation to their Capital; and for conferring other Powers on that Company and on the *South Yorkshire* Railway Company in relation to the *Trent, Ancholme, and Grimsby* Railway; and for other Purposes.

v. An Act to empower the *Southwark and Vauxhall* Water Company to raise further Money; to acquire additional Land; and for other Purposes.

vi. An Act to extend the Time limited for completing the Works of the *Milford Haven* Dock and Railway Company; and for other Purposes.

vii. An Act providing for the Management, Improvement, and better Government, and for extending the Objects and regulating the Appropriation of the Income, of the Hospital of *Saint Mary Magdalene* in the Town and County of *Newcastle-upon-Tyne.*

viii. An Act for regulating the Capital and Debt of the *South-eastern* Railway Company, and for other Purposes, and of which the Short Title is "*South-eastern* Railway (Capital) Act, 1867."

ix. An Act to authorize the *Northumberland Central* Railway Company to abandon a Portion of their authorized Line; and for other Purposes.

x. An Act for the Improvement of Roads, Sewers, and other Works in the Parish of *Saint Mary* in the Borough of *Nottingham;* and for other Purposes.

xi. An Act to enable "the *Scarborough* Gas Company" to raise a further Sum of Money; and for other Purposes.

xii. An Act to incorporate "The *Sutton, Southcoates, and Drypool* Gaslight Company (Limited)," by the Name of "The *Sutton, Southcoates, and Drypool* Gas Company," and to make further Provision for lighting with Gas the District now lighted by the Company and adjoining Places in the Borough of *Kingston-upon-Hull* and in the East Riding of the County of *York;* to authorize the raising of additional Capital; and for other Purposes.

xiii. An Act for better lighting with Gas the Borough of *Kidderminster*, and certain Parishes and Places adjacent thereto, in the County of *Worcester*.

xiv. An Act to make Alterations in the Deed of Settlement of the *Metropolitan* Life Assurance Society.

xv. An Act for extending the Limits of "The *Barnsley* Gas Act, 1852," and for authorizing the *Barnsley* Gas Company to construct new Works and raise more Money; and for other Purposes.

xvi. An Act to extend the Time for the Completion of Works authorized by the *Garstang and Knot End* Railway Act, 1864.

xvii. An Act to authorize the *Stratford-upon-Avon* Gas Company to raise further Capital; and for other Purposes.

xviii. An Act to incorporate a Company for better supplying with Gas the Town and Parish of *Barking*, except that Part of it known as *Great Ilford* Ward, and the Parish of *Dagenham* in the County of *Essex*, and the Neighbourhood thereof; and for other Purposes.

xix. An Act for the better Regulation of the Market at *Exmouth* in the County of *Devon*, and for other Purposes, and of which the Short Title is "*Exmouth* Market Act, 1867."

xx. An Act for better supplying with Water Part of the Parish of *Fisherton Anger* and the Tything of *Bemerton* in the County of *Wilts*.

xxi. An Act for better supplying with Water the Parish of *Paignton* in the County of *Devon*.

xxii. An Act to authorize the Mayor, Aldermen, and Burgesses of the Town of *Brighton* to borrow further Sums of Money for improving the *Pavilion* Estate, and for other Purposes.

xxiii. An Act for the Union of the Prisons of the County of *Worcester* and of the City and County of the City of *Worcester;* and for other Purposes.

xxiv. An

xxiv. An Act for authorizing the *South Shields* Gas Company to extend their Works and increase their Capital; and for other Purposes.

xxv. An Act to authorize the Dock Company at *Kingston-upon-Hull* further to enlarge the Works connected with the Western Dock; and to acquire additional Lands in connexion with such Dock; and for other Purposes.

xxvi. An Act for vesting the Glebe Lands and Endowments of the Rectory of *Bishop Wearmouth* in the County and Diocese of *Durham* in the Ecclesiastical Commissioners for *England*, and for making Provision for the Endowment of the said Rectory in lieu thereof; and for the Promotion of other Ecclesiastical Purposes connected therewith.

xxvii. An Act for authorizing the Acquisition by the *Midland* Railway Company of Land and Property of the *Derby* Gaslight and Coke Company, and the Sale by the *Midland* Railway Company to the *Derby* Gaslight and Coke Company of other Lands, and for the Erection of Gasworks thereon; and for other Purposes.

xxviii. An Act to alter and amend the Acts relating to the *Atlantic* Telegraph Company; to enable the Company to raise additional Capital; to extend their Borrowing Powers; and for other Purposes.

xxix. An Act for authorizing the *Stalybridge* Gas Company to extend their Works and increase their Capital; and for other Purposes.

xxx. An Act for enabling the *Newcastle-upon-Tyne and Gateshead* Gas Company to raise additional Capital, and to extend their Works; for amending the Acts relating to the Company; and for other Purposes.

xxxi. An Act to cancel Two Bonds entered into by the *Norwich and Spalding* Railway Company; and for other Purposes relating to the Company.

xxxii. An Act for authorizing the *Hartlepool* Gas and Water Company to provide additional Waterworks, and an additional Supply of Water, and to raise further Monies, and for extending the Limits within which they may supply Gas and Water, and for other Purposes; and of which the Short Title is "The *Hartlepool* Gas and Water Act, 1867."

xxxiii. An Act for the Re-incorporation of the *Woolton* Gaslight Company, Limited, by the Name of the *Woolton* Gas Company, and for conferring additional Powers on the Company.

xxxiv. An Act to repeal an Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for more effectually repairing the* Launceston *Turnpike Roads, and making certain additional Roads*, and to make other Provisions in lieu thereof; and for other Purposes.

xxxv. An Act to enable the Trustees of the Port and Harbours of *Greenock* to construct a new Quay, and Accesses and other Works; and for other Purposes.

xxxvi. An

xxxvi. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to extend their Waterworks and the Limits of their Water Supply, to make a new Street in *Ardwick* and other Improvements, to acquire additional Lands; and for other Purposes.

xxxvii. An Act to repeal certain Provisions of "The *Ayr* Water Company's Act, 1865," and for other Purposes.

xxxviii. An Act to enable the *Rixton and Warburton* Bridge Company to raise further Money, and to create Preference Shares; and for other Purposes.

xxxix. An Act to reconstitute the *Prescot* Gaslight Company, and to provide for more effectually lighting the Town of *Prescot* and its Neighbourhood with Gas; and for other Purposes.

xl. An Act for the *Poole* Roads in the County of *Dorset*.

xli. An Act to make further Provision for making, repairing, maintaining, and extending the Highways, Roads, and Bridges within the County of *Orkney;* and for other Purposes.

xlii. An Act to incorporate "the *Eton* Gas Company (Limited)" by the Name of "the *Eton* Gas Company;" to enable the Company to raise additional Capital; to light the Parish of *Eton* with Gas; and for other Purposes.

xliii. An Act to grant further Powers to the *Tendring Hundred* Railway Company.

xliv. An Act for the Improvement of the City of *Edinburgh*, and constructing new, and widening, altering, improving, and diverting existing Streets in the said City; and for other Purposes.

xlv. An Act to enlarge the Powers of "the *Horsey Island* Reclamation Company."

xlvi. An Act to amend and enlarge the Powers of "The *Ipswich* Fishery Act, 1859;" and to enable the Corporation to grant a Lease of the Fishery.

xlvii. An Act for more effectually maintaining and keeping in repair the Roads, Highways, and Bridges in the County of *Selkirk;* for making new Roads in the said County; and for other Purposes.

xlviii. An Act for extending the Limits within which the *Wells* Gaslight Company may supply Gas, and for empowering the Company to raise additional Capital; and for other Purposes.

xlix. An Act to make further Provision with respect to the Station at *Wakefield*.

l. An Act to enable "the *Tees* Conservancy Commissioners" to improve the Navigation of the River *Tees;* to construct Landing Places and a Graving Dock; to alter existing and impose new Tolls, Rates, and Charges, and raise further Monies; to confer Powers to take Tolls and Charges, and to repeal and amend Acts; and for other Purposes.

li. An

li. An Act to amend "The *Aberdeen* Police and Waterworks Act, 1862," and to authorize the Commissioners of Police to raise further Sums of Money for the Purposes thereof.

lii. An Act to extend the Powers of the *Great Eastern* Railway Company with respect to the Use of Steam Vessels between *Harwich* and certain Foreign Ports.

liii. An Act for regulating the Capital of the *Cape Town* Railway and Dock Company, and conferring further Powers upon that Company; and for other Purposes.

liv. An Act to enable the Local Board of Health for the District of *Keighley* to purchase the existing Waterworks; to effect various Improvements in the Town of *Keighley;* and for other Purposes.

lv. An Act for authorizing additional Works in connexion with the *Holborn Valley* Viaduct; and for other Purposes.

lvi. An Act for enabling the Local Board of Health for the District of *West Ham* in the County of *Essex* to erect a Hall and Offices for the Transaction of the Business of the said Board and of the Parish Officers of the said Parish, and for granting additional Powers to the said Local Board.

lvii. An Act to extend the Time for the Completion of the *Wilts and Gloucestershire* Railway; and for other Purposes.

lviii. An Act for altering, amending, and extending the Provisions of "The *Salford* Improvement Act, 1862," for authorizing the Extension of the Gasworks, the Construction of a new Street, the raising of further Monies; and for other Purposes.

lix. An Act for authorizing the *Ryde* Pier Company to make and maintain a Railway at *Ryde* in the *Isle of Wight* instead of Tramways authorized to be made by them there; for giving effect to an Agreement between that Company and the *Ryde* Station Company; and for other Purposes.

lx. An Act for enabling the *Caledonian* Railway Company to make certain Branch Railways in the Counties of *Lanark* and *Midlothian*, and to acquire additional Station Ground at *Carlisle;* and for other Purposes.

lxi. An Act to authorize the *Aylesbury* Market Company to raise more Money; and to amend the Act relating to the said Company.

lxii. An Act to authorize the *Dewsbury*, *Batley*, and *Heckmondwike* Local Boards to construct new Reservoirs and Works, and to alter the Provisions of the Acts relating to their existing Waterworks with respect to the Millowners on the River *Dun;* and for other Purposes.

lxiii. An Act to incorporate "The *Hampton Court United* Gas Company" by the Name of "The *Hampton Court* Gas Company;" to authorize the lighting of an extended District, the raising of additional Capital; and for other Purposes.

lxiv. An Act to alter and extend the Constitution and Powers of the Local Board for the District of the Middle Division of *Heap* in *Lancashire*, to extend such District, and to provide for the better paving, lighting, and otherwise improving the Town of *Heywood* in *Lancashire*; and for other Purposes.

lxv. An Act for authorizing the *Middle Level* Commissioners to levy a Special Tax and to raise additional Funds, and for terminating the Canal and *Nene* Trust; and for other Purposes.

lxvi. An Act for incorporating and conferring further Powers on the *Mold* Gas and Water Company; and for other Purposes.

lxvii. An Act to extend the Time for the Purchase of Lands for and Completion of the *Ross and Monmouth* Railway; to enable the *Ross and Monmouth* Railway Company to divert a Portion of their Railway; and for other Purposes.

lxviii. An Act for incorporating and granting certain Powers to the *Mitcham* and *Wimbledon* District Gaslight Company.

lxix. An Act for incorporating and granting certain Powers to the *West Kent* Gas Company.

lxx. An Act to improve the Drainage of the *Winestead Level* and of other Lands in the Parishes of *Patrington* and *Welwick*.

lxxi. An Act for better supplying with Water the Parishes of *Camborne*, *Crowan*, and *Illogan*, in the County of *Cornwall*.

lxxii. An Act to alter and amend the "*Rochester* Oyster Fishery Act, 1865," and to make further and better Provision as to the raising of Money on Mortgage of the Fishery and otherwise; and for other Purposes.

lxxiii. An Act for confirming the Gift of a Park by *Thomas Barnes* Esquire to the Local Board of Health of the District of *Farnworth*, for the Benefit of the Inhabitants thereof; and for authorizing the said Local Board to maintain and regulate the said Park, and to erect a Town Hall and Market Houses, and to make new Streets, and for defining the Boundaries of and for making further Provisions for the Improvement of the District; and for other Purposes.

lxxiv. An Act to further extend the Time for the Completion of the *Athenry and Ennis Junction* Railway; and for other Purposes.

lxxv. An Act to extend the Time limited for the Completion of the Bridge, Roads, and other Works authorized by the "*Wilford Bridge* Act, 1862;" and for other Purposes.

lxxvi. An Act for granting further Powers to "The *Rochester*, *Chatham*, and *Strood* Gaslight Company."

lxxvii. An Act to change the Name of the *Cambridge* Gaslight Company, to confer further Powers on the Company, and for other Purposes.

lxxviii. An

lxxviii. An Act for enabling the *North London* Railway Company to widen further Portions of their Railway, and for granting various additional Powers to the Company.

lxxix. An Act for empowering the Corporation of *Sunderland* to improve the Approaches to the *Bodlewell Lane Ferry* over the River *Wear*; and for amending the *Wearmouth Bridge* Act, 1857; and for other Purposes.

lxxx. An Act to revive the Powers for the Purchase of Lands, and to extend the Time for the Completion of Works authorized by "The *Greenwich and South-eastern* Docks Act, 1859;" and for other Purposes.

lxxxi. An Act to alter the Constitution of the Corporation for preserving and improving the Port of *Dublin*, and for other Purposes connected with that Body and with the Port of *Dublin* Corporation.

lxxxii. An Act for the Re-incorporation of the *Huyton and Roby* Gas Company (Limited), and for conferring additional Powers on the Company.

lxxxiii. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Gateshead* to erect a Town Hall and other Buildings; and for regulating their Rates, and authorizing them to raise further Monies; and for the further Improvement of the Borough; and of which the Short Title is "*Gateshead* Improvement Act, 1867."

lxxxiv. An Act for maintaining certain Roads and Bridges in the County of *Northumberland* called the *Ford* and *Lowick* Turnpikes, and for the Liquidation of the Debt due on the Security of the Tolls taken at the said Roads and Bridges.

lxxxv. An Act for granting further Powers to the *Metropolitan* Railway Company, and for authorizing them to make a Junction between their Railway and the *Metropolitan and Saint John's Wood* Railway; for extending the Time limited for the Purchase of certain Lands and Completion of certain Works; for amending the Acts relating to the Company; and for other Purposes.

lxxxvi. An Act for enabling the *North Metropolitan* Railway Company to make a Deviation and Branch Railway in substitution for Portions of their authorized Undertaking; and for other Purposes.

lxxxvii. An Act for amending the Acts relating to the Company of Proprietors of the *Sheffield* Waterworks, and for extending the Limits within which the Company may supply Water; and for other Purposes.

lxxxviii. An Act to alter and amend "The *Bingley* Improvement Act, 1847;" to extend the Limits of the District of the *Bingley* Improvement Commissioners; to enable the Commissioners to purchase the Works of the *Bingley* Gas Company; and for other Purposes.

lxxxix. An Act to incorporate the *Dartford* Gaslight Company, and to make further Provision for lighting with Gas the Town and Parish of *Dartford* and certain Parishes and Places in the Neighbourhood thereof.

xc. An Act for extending the Limits of the District within which the *Great Grimsby* Gas Company may manufacture and supply Gas; and for empowering the Company to raise additional Capital; and for other Purposes.

xci. An Act to authorize the Improvement of the Communications between *Lombard Street*, *Nag's Head Court*, and *Clement's Lane*, in the City of *London*; and for other Purposes.

xcii. An Act to authorize the *Birkenhead* Improvement Commissioners to make new Waterworks, and to extend the Jurisdiction of the Stipendiary Magistrate for *Birkenhead*, and to amend the Acts relating to the said Commissioners with respect to Matters of Police, and otherwise.

xciii. An Act for granting further Powers to the *Llanelly* Railway and Dock Company, and for other Purposes connected with the Undertakings of that Company.

xciv. An Act to vest in the *London and North-western* Railway Company, jointly with the *Midland* Railway Company, certain Railways between *Ashby* and *Nuneaton* in the County of *Leicester*; and for other Purposes.

xcv. An Act for vesting the Undertaking of the *Fleetwood, Preston, and West Riding Junction* Railway Company in the *London and North-western* Railway Company and the *Lancashire and Yorkshire* Railway Company; and for other Purposes.

xcvi. An Act for extending the Powers of the *Newry and Greenore* Railway Company.

xcvii. An Act for empowering the Company of Proprietors of the *Sheffield* Waterworks to construct additional Reservoirs and alter their authorized Works, and raise further Money, and for altering Provisions of the Company's Acts respecting Compensation Supply of Water; and for other Purposes.

xcviii. An Act for enabling the *Swansea Vale* Railway Company to construct Branch Railways; and for other Purposes.

xcix. An Act to enable the Corporation of the Borough of *Stockport* better to supply with Water that Borough and the Neighbourhood thereof; and for other Purposes.

c. An Act for incorporating "the *Richmond* Gas Company, 1853, Limited," and for conferring upon them further Powers for the Supply of Gas to the Parish of *Richmond* and certain neighbouring Parishes and Places in the County of *Surrey*.

ci. An Act for extending to the *Thames* between *Staines* and the Metropolis the Provisions of the *Thames* Navigation Act, 1866, relating to the Prevention of the Pollution of the River, and for otherwise extending and amending the *Thames* Conservancy and Navigation Acts; and for other Purposes.

cii. An

cii. An Act for the better sewering of the City of *Norwich*, and the applying of the Sewage to the Irrigation of Land, and for the making of the *Trowse Road*, and for other Purposes; and of which the Short Title is "City of *Norwich* Act, 1867."

ciii. An Act for incorporating the *Weymouth* Gas Consumers Company, Limited, and to make further Provision for lighting with Gas the Parishes of *Weymouth*, *Melcombe Regis*, *Wyke Regis*, and *Radipole*, in the County of *Dorset*.

civ. An Act for conferring further Powers upon the *Furness* Railway Company for the Construction of Works and the Acquisition of Lands, and otherwise in relation to their Undertaking; to provide for the Abandonment of the Railway authorized by "The *Furness and Lancaster and Carlisle Union* Railway Act, 1865," and the Dissolution of the *Furness and Lancaster and Carlisle Union* Railway Company; and for other Purposes.

cv. An Act to enable the *Sidmouth* Railway and Harbour Company to make certain Deviations in their authorized Line; and for other Purposes.

cvi. An Act for vesting in the *Caledonian* Railway Company the Undertaking of the Company of Proprietors of the *Forth and Clyde* Navigation; and for other Purposes.

cvii. An Act to authorize the *Dundee* Gaslight Company to raise a further Sum of Money; and for other Purposes.

cviii. An Act to empower the *Dundee* New Gaslight Company to raise a further Sum of Money; and for other Purposes.

cix. An Act to constitute certain Railways authorized to be made by the *Great Eastern* Railway Company in and near the Metropolis a separate Undertaking, and to extend the Time limited for Purchase of Lands and Completion of Works with respect to certain of such Railways, and to confer various Powers upon the Company in reference to their Undertaking; and for other Purposes.

cx. An Act to amend and enlarge the Provisions of "The *Southport* Waterworks Act, 1854," and "The *Southport* Waterworks Act, 1856;" to extend the Limits of the Company for the Supply of Water; to make further and better Provision for supplying the Town of *Southport* and the adjoining Districts with Water; and for other Purposes.

cxi. An Act to extend the Time for completing the *Chichester* Harbour Embankment.

cxii. An Act for supplying with Water the Town of *Herne Bay* and the Places adjacent thereto in the County of *Kent*.

cxiii. An Act for enabling the *London and North-western* Railway Company to construct new Railways, Deviations, and other Works; and for other Purposes.

cxiv. An Act for supplying with Water the Town of *Peterborough* and certain Parishes and Places adjacent thereto in the Counties of *Northampton* and *Lincoln*.

cxv. An Act to enable the *Llynvi and Ogmore* Railway Company to increase their Capital; and for other Purposes.

cxvi. An Act to enable the *Solway Junction* Railway Company to make a Junction with the *Carlisle and Silloth Bay* Railway; and for other Purposes.

cxvii. An Act for extending and altering the Boundaries of the Borough of *Sunderland*, and for empowering the Corporation of the Borough to make new Streets and improve existing Streets; and for other Purposes.

cxviii. An Act for supplying with Gas the Towns of *Lampeter*, *Llandyssil*, *Tregaron*, and *Aberayron*, and the Neighbourhoods thereof, respectively within the Parishes of *Lampeter-pont-Stephen*, *Llandyssil*, *Caron-is-clawdd*, *Llandewi-Aberarth*, and *Henfeniw*, all in the County of *Cardigan*.

cxix. An Act for conferring further Powers upon the *Bodmin* Railway Company.

cxx. An Act for authorizing the Maintenance and Repair of the Road leading from *Cardiff* to *Penarth*, with the Bridges thereon, and the Construction of a new Road and Bridge, and the levying of Tolls; and for other Purposes.

cxxi. An Act for the better supplying with Gas and Water the Town of *Crickhowell* and its Vicinity in the County of *Brecon;* and for other Purposes.

cxxii. An Act to authorize the *Neath and Brecon* Railway Company to acquire certain Lands at and near *Swansea;* to transfer to the Company the *Oystermouth* Tramway and Part of the *Brecon Forest* Tramway; and to confer other Powers on the Company.

cxxiii. An Act for authorizing the making by the *Bedford and Northampton* Railway Company of Lines of Railway by way of Substitution of Lines of Railway already authorized to be made by them; and for other Purposes.

cxxiv. An Act for authorizing the Abandonment of the making of the *Wensum Valley* Railway; and for other Purposes.

cxxv. An Act for conferring further Powers upon the *Devon and Cornwall* Railway Company with reference to their Extensions to *Bude* and *Torrington;* and for other Purposes; and of which the Short Title is "*Devon and Cornwall* Railway Act, 1867."

cxxvi. An Act for authorizing the Local Board for the District of *Widnes* in the County Palatine of *Lancaster* to supply with Gas and with Water their District and Places near thereto, and to purchase and to acquire the Undertaking, Gasworks, Waterworks, and Property of the *Widnes* Gas and Water Company, and to improve their District, and to raise Monies; and for other Purposes; and of which the Short Title is "*Widnes* Improvement Act, 1867."

cxxvii. An Act for incorporating the *Enfield* Gas Company, Limited, and extending their Powers; and for other Purposes.

cxxviii. An

cxxviii. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Plymouth* to improve their Waterworks, and to provide a better Supply of Water to *Plymouth* and Places in the Neighbourhood thereof, and for the Regulation of Markets and Fairs in the Borough; and for other Purposes; and of which the Short Title is "*Plymouth* Corporation Water and Markets Act, 1867."

cxxix. An Act to authorize the *Waterford, New Ross, and Wexford Junction* Railway Company to make Deviations from their authorized Railway, and to construct new Railways; and for other Purposes.

cxxx. An Act for conferring further Powers on the *Bristol and Exeter* Railway Company with reference to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cxxxi. An Act to transfer to the *Great Northern* Railway Company the Undertakings of the *Edgware, Highgate, and London* and the *Watford and Edgware Junction* Railway Companies; to extend the Time for the Construction of the last-named Railway; and for other Purposes with respect to the same Companies.

cxxxii. An Act for making further Provision with respect to the Ferries of the *Wallasey* Local Board, and to empower them to extend their Gasworks and to raise further Monies; and for other Purposes.

cxxxiii. An Act to transfer the Undertaking of the *Wolverhampton* New Waterworks Company to the Corporation of *Wolverhampton*; to confirm certain Agreements between that Company and the *South Staffordshire* Waterworks Company; and for other Purposes.

cxxxiv. An Act for the Improvement of the Township and District of *Dalkey* in the Barony of *Rathdown* and County of *Dublin*.

cxxxv. An Act to authorize the *Tyne* Improvement Commissioners to borrow further Sums of Money, and to construct Railways and Shipping Places in connexion with the *Northumberland* Docks; and for other Purposes.

cxxxvi. An Act to authorize the *Lancashire and Yorkshire* Railway Company to complete the *North Lancashire* Loop Line between *Blackburn* and *Burnley*; and for other Purposes relating to their Undertaking.

cxxxvii. An Act to confer upon the *Cambrian* Railways Company special Facilities for raising Part of their authorized Loan Capital, and to extend the Time for the Purchase of certain Lands and the Completion of certain Works; and for other Purposes.

cxxxviii. An Act to provide additional Means for Draining the Fourth District of the *Witham* Drainage in the County of *Lincoln*; and for other Purposes relating to the *Witham* Drainage.

cxxxix. An Act for the better supplying with Water the Parliamentary Burghs of *Kirkcaldy* and *Dysart* and Suburbs and Places adjacent; and for other Purposes.

cxl. An

cxl. An Act to extend the Time granted to the *Waterford and Wexford* Railway Company for the Purchase of Lands and Execution of Works; to afford Facilities to the Company for raising the Funds necessary to execute their Undertaking; and for other Purposes.

cxli. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Leeds* to make and maintain additional Waterworks; and for other Purposes.

cxlii. An Act to extend the Time for the Purchase of Lands and Completion of certain Railways by the *North Staffordshire* Railway Company, and to enable the said Company to widen certain Parts of their Railways, and to confer various Powers upon the Company in reference to their Capital and the Undertakings of other Companies; and for other Purposes.

cxliii. An Act to extend the Time granted to the *East Gloucestershire* Railway Company for the Purchase of Land and Construction of their Railways; and for other Purposes.

cxliv. An Act for enabling the *London and North-western* Railway Company to construct new Railways, Deviations, and other Works; and for other Purposes.

cxlv. An Act to authorize the *North British* Railway Company to make certain Deviations in their *Glasgow* Branches, and in the *Forth and Clyde* Canal, and to extend the Time for the Purchase of Lands and Completion of certain Railways, and to acquire certain Lands; and for other Purposes.

cxlvi. An Act to enable the *Navan and Kingscourt* Railway Company to make Deviations in their authorized Railway; and for other Purposes.

cxlvii. An Act to enable the *Devon and Somerset* Railway Company to make a Deviation from their authorized Railway; to make a Junction Railway; to abandon a Portion of their authorized Railway; and for other Purposes.

cxlviii. An Act for authorizing the *East London* Waterworks Company to obtain a Supply of Water from the River *Thames*, and to make Works for the Purpose, and to raise further Monies; and for other Purposes; and of which the Short Title is "*East London* Waterworks (*Thames* Supply) Act, 1867."

cxlix. An Act for authorizing the *East London* Waterworks Company to make and maintain Works in connexion with their present Waterworks; and to raise further Monies; and to make Arrangements with other Parties; and for other Purposes; and of which the Short Title is "*East London* Waterworks (Powers) Act, 1867."

cl. An Act for conferring further Powers on the *Great Western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cli. An Act to authorize the *London and North-western* Railway Company to become Joint Owners of Part of the *Carnarvon and Llanberis* Railway; and for other Purposes.

clii. An

cxxviii. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Plymouth* to improve their Waterworks, and to provide a better Supply of Water to *Plymouth* and Places in the Neighbourhood thereof, and for the Regulation of Markets and Fairs in the Borough; and for other Purposes; and of which the Short Title is "*Plymouth* Corporation Water and Markets Act, 1867."

cxxix. An Act to authorize the *Waterford, New Ross, and Wexford Junction* Railway Company to make Deviations from their authorized Railway, and to construct new Railways; and for other Purposes.

cxxx. An Act for conferring further Powers on the *Bristol and Exeter* Railway Company with reference to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cxxxi. An Act to transfer to the *Great Northern* Railway Company the Undertakings of the *Edgware, Highgate, and London* and the *Watford and Edgware Junction* Railway Companies; to extend the Time for the Construction of the last-named Railway; and for other Purposes with respect to the same Companies.

cxxxii. An Act for making further Provision with respect to the Ferries of the *Wallasey* Local Board, and to empower them to extend their Gasworks and to raise further Monies; and for other Purposes.

cxxxiii. An Act to transfer the Undertaking of the *Wolverhampton* New Waterworks Company to the Corporation of *Wolverhampton;* to confirm certain Agreements between that Company and the *South Staffordshire* Waterworks Company; and for other Purposes.

cxxxiv. An Act for the Improvement of the Township and District of *Dalkey* in the Barony of *Rathdown* and County of *Dublin*.

cxxxv. An Act to authorize the *Tyne* Improvement Commissioners to borrow further Sums of Money, and to construct Railways and Shipping Places in connexion with the *Northumberland* Docks; and for other Purposes.

cxxxvi. An Act to authorize the *Lancashire and Yorkshire* Railway Company to complete the *North Lancashire* Loop Line between *Blackburn* and *Burnley;* and for other Purposes relating to their Undertaking.

cxxxvii. An Act to confer upon the *Cambrian* Railways Company special Facilities for raising Part of their authorized Loan Capital; and to extend the Time for the Purchase of certain Lands and the Completion of certain Works; and for other Purposes.

cxxxviii. An Act to provide additional Means for draining the Fourth District of the *Witham* Drainage in the County of *Lincoln;* and for other Purposes relating to the *Witham* Drainage.

cxxxix. An Act for the better supplying with Water the Parliamentary Burghs of *Kirkcaldy* and *Dysart* and Suburbs and Places adjacent; and for other Purposes.

cxl. An Act to extend the Time granted to the *Waterford and Wexford* Railway Company for the Purchase of Lands and Execution of Works; to afford Facilities to the Company for raising the Funds necessary to execute their Undertaking; and for other Purposes.

cxli. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Leeds* to make and maintain additional Waterworks; and for other Purposes.

cxlii. An Act to extend the Time for the Purchase of Lands and Completion of certain Railways by the *North Staffordshire* Railway Company, and to enable the said Company to widen certain Parts of their Railways, and to confer various Powers upon the Company in reference to their Capital and the Undertakings of other Companies; and for other Purposes.

cxliii. An Act to extend the Time granted to the *East Gloucestershire* Railway Company for the Purchase of Land and Construction of their Railways; and for other Purposes.

cxliv. An Act for conferring additional Powers on the *London and North-western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cxlv. An Act to authorize the *North British* Railway Company to make certain Deviations in their *Glasgow* Branches, and in the *Forth and Clyde* Canal; and to extend the Time for the Purchase of Lands and Completion of certain Railways, and to acquire certain Lands; and for other Purposes.

cxlvi. An Act to enable the *Navan and Kingscourt* Railway Company to make Deviations in their authorized Railway; and for other Purposes.

cxlvii. An Act to enable the *Devon and Somerset* Railway Company to make a Deviation from their authorized Railway; to make a Junction Railway; to abandon a Portion of their authorized Railway; and for other Purposes.

cxlviii. An Act for authorizing the *East London* Waterworks Company to obtain a Supply of Water from the River *Thames*, and to make Works for the Purpose, and to raise further Monies; and for other Purposes; and of which the Short Title is "*East London* Waterworks (*Thames* Supply) Act, 1867."

cxlix. An Act for authorizing the *East London* Waterworks Company to make and maintain Works in connexion with their present Waterworks; and to raise further Monies; and to make Arrangements with other Parties; and for other Purposes; and of which the Short Title is "*East London* Waterworks (Powers) Act, 1867."

cl. An Act for conferring further Powers on the *Great Western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

cli. An Act to authorize the *London and North-western* Railway Company to become Joint Owners of Part of the *Carnarvon and Llanberis* Railway; and for other Purposes.

clii. An

cliii. An Act for vesting the Undertaking of the *Nantlle* Railway Company in the *Carnarvonshire* Railway Company, and for other Purposes.

cliii. An Act for incorporating the *Tynemouth* Gas Company, and defining the Limits of Supply of Gas by them, and regulating their Capital; and for other Purposes.

cliv. An Act to extend the Time for the compulsory Purchase of Lands for and for the Completion of the *West Sussex Junction* Railway.

clv. An Act to carry into effect certain Arrangements made with the Commissioners of Her Majesty's Treasury for the Liquidation of the Debt and Interest due by the *Limerick* Harbour Commissioners to the Commissioners of Public Works in *Ireland;* to repeal the Rates and Duties now levied in the Port of *Limerick*, and to authorize other Harbour Rates to be levied in lieu thereof; to reconstitute the Harbour Commissioners; and for other Purposes.

clvi. An Act for authorizing the *London and South-western* Railway Company to make new Works, and for authorizing divers Arrangements between that Company and other Railway Companies, and for defining and regulating the Capital and Debt of that Company, and for other Purposes; and of which the Short Title is "*South-western* Railway (General) Act, 1867."

clvii. An Act for making a Deviation of Part of the *Newport* Railway; for relinquishing a Portion of said Railway; and for other Purposes.

clviii. An Act to extend the Time for the Purchase of Lands and for the Completion of the Works authorized by the *Saint Clement Danes* Improvement Act, 1865; and for other Purposes.

clix. An Act to authorize the *Kilkenny Junction* Railway Company to abandon the Construction of their authorized *Kilpurcell* Branch Railway; and for other Purposes.

clx. An Act for enabling the *Surrey and Sussex Junction* Railway Company to make Alterations in the Mode of constructing their Railway; to acquire additional Lands; and for other Purposes.

clxi. An Act to further extend the Time limited for the Completion of Works by the Acts relating to "The *Waterford and Passage* Railway Company."

clxii. An Act to enable the *Carnarvonshire* Railway Company to make Deviations in their authorized Railway; and for other Purposes.

clxiii. An Act for authorizing the *London, Brighton, and South Coast* Railway Company to execute new Works, and Alterations of authorized Works, and to acquire additional Lands in *Surrey*, *Sussex*, and *Kent;* for extending the Time for exercising the Powers relating to certain Railways in *Sussex;* for sanctioning Arrangements with the *South-eastern* Railway Company; and for other Purposes.

clxiv. An Act to enable the *Mold and Denbigh Junction* Railway Company to run over and use Portions of the Railways of certain other Railway Companies; and to revive and extend the Powers of Purchase

over certain Lands; and to extend the Time limited by "The *Mold and Denbigh Junction* Railway Act, 1861," for the Completion of Works; and for other Purposes.

clxv. An Act for making Docks at *Seabrook*, and for constructing a Pier and other Works in connexion therewith; and for other Purposes.

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clxx. An Act for enabling the *Midland* Railway Company to construct new Railways and other Works, and for conferring Powers on them with respect to their own Undertaking and the Undertakings of other Companies; and for other Purposes.

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clxxviii. An Act to enable the *Halifax and Ovenden Junction* Railway Company to vary the Line of their Railway; to increase their Capital; and for other Purposes.

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cxcii. An

cxcii. An Act to grant further Powers to the *West Cork* Railway Company.

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PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for authorizing Building and Improving Leases and Sales of certain Parts of the Estates at *Darlington* and *Barnard Castle* in the County of *Durham*, and at *Wolverhampton* in the County of *Stafford*, comprised in or subject to certain Deeds of Settlement and the Will of the late *William Harry* First Duke of *Cleveland;* and for other Purposes.

2. An Act for authorizing Leases of the Settled Estates of Sir *John William Ramsden* Baronet in the Parishes of *Huddersfield*, *Almondbury*, and *Kirkheaton*, in the West Riding of the County of *York*, and for other Purposes; and of which the Short Title is "The *Ramsden* Estate Act, 1867."

3. An Act for facilitating the Acceptance of Stock of the *Snailbeach* Mine Company (Limited) in substitution for Shares in the *Snailbeach* Mine Company; and for other Purposes.

4. An Act for authorizing Trustees of the Settled Family Estates of the Marquess of *Anglesey* to become the Undertakers under "The *Stapenhill Bridge* Act, 1865," and for extending their Powers over the Settled Estates; and of which the Short Title is "Marquess of *Anglesey*'s Estate Act, 1867."

5. An Act for the better Regulation of the Grammar School and *John Kendricke*'s Loan Charity, *Reading*.

6. An Act for the Regulation of the *Queen's College* at *Birmingham*, and for incorporating the *Queen's Hospital* at *Birmingham*.

7. An Act for continuing and extending some of the Powers and Provisions of *Barker Mill*'s Estate Act, 1852, and for other Purposes, and to be called "*Barker Mill*'s Estate Act, 1867."

8. An Act for enabling the Governors of the Lands, Possessions, Revenues, and Goods of the Hospital of King *James*, founded in *Charterhouse* within the County of *Middlesex* at the humble Petition and only Costs and Charges of *Thomas Sutton* Esquire, to sell the Site of the School of the said Hospital and other Lands; to acquire a new Site for the School, and to erect a new School thereon; and for other Purposes.

9. An Act for the better Regulation of *Skipton* Grammar School.

PRIVATE ACTS,

NOT PRINTED.

10. An Act to dissolve the Marriage of *James Sinclair Thomson*, Lieutenant-Colonel of Her Majesty's 54th Regiment of Infantry, with *Roberta Spencer Thomson* his now Wife, and to enable him to marry again; and for other Purposes.

11. An Act to naturalize *Henri Louis Bischoffsheim*, and to grant to and confer upon him all the Rights, Privileges, and Capacities of a natural-born Subject of Her Majesty the Queen.

12. An Act to naturalize *Charles Conrad Adolphus Du Bois de Ferrieres*, commonly known as the Baron *de Ferrieres*, and to grant to and confer upon him all the Rights, Privileges, and Capacities of a natural-born Subject of Her Majesty the Queen.

13. An Act to naturalize *Daniel Adolphus Lange*, and to grant to and confer upon him all the Rights, Privileges, and Capacities of a natural-born Subject of Her Majesty the Queen.

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TO THE

PUBLIC GENERAL ACTS,

30° & 31° VICTORIÆ,

Showing whether they relate to the whole or to any Part of the United Kingdom, viz.

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S. - - - - Scotland.
I. - - - - Ireland.
E. & I. - - - England and Ireland.
G.B. - - - - Great Britain.
G.B. & I. - - - Great Britain and Ireland.
U.K. - - - The whole of the United Kingdom.

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—— to grant and alter certain Duties of Customs and Inland Revenue, and for other Purposes relating thereto	23.	U.K.

D.

DAMAGE TO PUBLIC WORKS; to provide further Facilities for the Repair of Roads, Bridges, and other Public Works in Ireland in case of sudden Damage	112.	I.
DANGEROUS LUNATICS, &c. *See* LUNATICS, &c.		
DEACONS, ORDINATION OF. *See* ORDINATION FEES.		
DEBTS RECOVERY; to facilitate the Recovery of certain Debts in the Sheriff Courts in Scotland	96.	E.
DECLARATION AGAINST TRANSUBSTANTIATION, &c.; to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, the Invocation of the Saints, and the Sacrifice of the Mass as practised in the Church of Rome; and to render it unnecessary to take, make, or subscribe the same as a Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right	62.	G.B. & I.
DECREES, &c. OF PROVINCIAL COURTS; to facilitate the Recovery of Arrears of Alimony in certain Cases under Decrees and Orders of the Provincial and Diocesan Courts in Ireland	11.	I.
DERBY *See* LOCAL GOVERNMENT.		
DESERTION. *See* MUTINY.		
DEVIZES. *See* LOCAL GOVERNMENT.		
DEVONPORT. *See* LOCAL GOVERNMENT.		
DIFFERENCES BETWEEN MASTERS AND WORKMEN: *See* COUNCILS OF CONCILIATION.		
DINGWALL. *See* PIERS AND HARBOURS.		
DIOCESAN COURTS. *See* ALIMONY ARREARS.		
DISABILITIES, RELIGIOUS *See* RELIGIOUS DISABILITIES.		
DISEASES AMONG CATTLE; to continue and amend the Acts 11 & 12 Vict. c. 107., 16 & 17 Vict. c. 62., and 29 & 30 Vict. cc. 2., 15., 110., relating to Contagious or Infectious Diseases among Cattle and other Animals	125.	G.B.
DISEMBODIED MILITIA. *See* MILITIA.		
DISQUALIFICATIONS OF JUSTICES; to remove Disqualifications of Justices of the Peace in certain Cases	115.	G.B. & I.
DISPENSARIES. *See* METROPOLITAN POOR.		
DISTRICT LUNATIC ASYLUMS OFFICERS; to provide for the Appointment of the Officers and Servants of District Lunatic Asylums, and to alter and amend the Law relating to the Custody of dangerous Lunatics and dangerous Idiots, in Ireland	118.	I.
DOCKYARDS. *See* FORTIFICATIONS.		
DOGS; to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise	5.	G.B.
—— to amend the Act 28 & 29 Vict. c. 50., for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in Ireland	116.	I.

	Cap.	Relating to
DOMINICA LOAN; to authorize an Alteration in the Mode of Repayment of a Loan made by the West India Relief Commissioners to the Island of Dominica - - - -	91.	U.K.
DONATIONS, CHARITABLE; to amend the Law of Charitable Donations and Bequests in Ireland - - - -	54.	I.
DOVER. *See* FORTIFICATIONS.		
DRAINAGE, &c. OF LANDS; to confirm a Provisional Order under "The Land Drainage Act, 1861," (24 & 25 Vict. c. 133.) - - - - -	22.	E.
——— to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," (26 & 27 Vict. c. 88.,) and the Acts amending the same - - - - - -	43.	I.
——— to confirm Provisional Orders for the Quinagh and Parsonstown Drainage Districts respectively -	139.	I.
DUBLIN POLICE; to amend the Laws regulating the Superannuation Allowances of the Dublin Metropolitan Police - - - - - -	95.	I.
——— to provide for the Inspection of Weights and Measures, and to regulate the Law relating thereto, in certain Parts of the Police District of Dublin Metropolis -	94.	I.
DUBLIN UNIVERSITY PROFESSORSHIPS; to open the Professorships of Anatomy and Chirurgery, Chemistry, and Botany, in the University of Dublin, to all Persons irrespective of their religious Creed; and to amend the Act 40 Geo. 3. c. 84. (I.) - - - - - -	9.	I.
DUES ON SHIPPING; for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships - - - - - - -	15.	U.K.
DUNDEE; to confirm certain Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," (25 & 26 Vict. c. 101.) relating to the Burgh of Dundee -	79.	S.
DUTY ON DOGS; to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise -	5.	G.B.
DWELLINGS FOR THE LABOURING CLASSES; to amend "The Labouring Classes Dwelling Acts, 1866," (29 & 30 Vict. cc. 28. 44. - - - - - - -	28.	G.B. & I.

E.

EAST INDIA COMPANY PENSIONERS. *See* RESERVE FORCE.		
ECCLESIASTICAL COMMISSIONERS. *See* CHURCH TEMPORALITIES.		
EDINBURGH; to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, (25 & 26 Vict. c. 101.) relating to the City of Edinburgh - - - - - -	58.	S.
——— to uncollegiate the Parish of Canongate within the Parliamentary Burgh of, to reduce the Amount of the Annuity Tax within the said Parish, and to make Provision for the Maintenance of Two Ministers therein - - - - -	107.	S.
EMBANKMENT OF THE THAMES (NORTH SHORE); to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint James the Evangelist, Westminster - -	40.	E.

	Cap.	Relating to
EMPLOYERS AND WORKMEN; for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen	8.	E.
——— to extend the preceding Act	74.	E.
ENLARGEMENT OF THE NATIONAL GALLERY; to make further Provision for the Enlargement of the National Gallery	41.	E.
ENLISTMENT IN THE ARMY. *See* ARMY.		
EQUITABLE COUNCILS OF CONCILIATION; to establish Equitable Councils of Conciliation to adjust Differences between Masters and Workmen	105.	G.B. & I.
ERECTION OF BRIDGES; to afford further Facilities for the Erection of certain Bridges in Ireland	50.	I.
ESTATES, AUCTIONS OF; for amending the Law of Auctions of Estates	48.	G.B. & I.
ETWALL HOSPITAL. *See* SIR JOHN PORT'S CHARITY.		
EXCHEQUER BONDS; for raising the Sum of 1,700,000*l.* by Exchequer Bonds for the Service of the Year ending 31st March 1868	31.	U.K.
EXCISE; to amend the Law relating to the Duties and Drawbacks on Sugar	10.	U.K.
——— to allow Warehoused British Spirits to be bottled for Home Consumption	27.	U.K.
——— to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise	5.	G.B.
——— *See also* INLAND REVENUE.		
EXECUTORS. *See* TRUST FUNDS.		
EXETER. *See* LOCAL GOVERNMENT.		
EXPIRING LAWS; to continue various expiring LAWS	143.	U.K.

F.

FACTORY ACTS EXTENSION; for the Extension of the Factory Acts	103.	G. B. & I.
FARSLEY. *See* LOCAL GOVERNMENT.		
FEES (COURTS of LAW); for the Application of Surplus Fees paid by Suitors in the Superior Courts of Law and other Courts towards the Expenses of providing the intended Courts of Justice; and for other Purposes	122.	E.
FEES ON CONSECRATION, &c.; for the Establishment of a Table of Fees to be taken on the Consecration of Churches, Chapels, and Burial Grounds, and on the Ordination of Deacons and Priests, and on Visitations	135.	E.
FISHERIES; for the Preservation and further Protection of Oyster Fisheries	18.	G. B. & I.
——— to alter and amend the Acts relating to the British White Herring Fishery	52.	S.
FORTIFICATIONS; to amend the Act 28 & 29 Vict. c. 61., for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal	24.	G.B. & I.
——— for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland	145.	G.B. & I.

	Cap.	Relating to
G.		
GAINSBOROUGH. *See* LOCAL GOVERNMENT.		
GALASHIELS JURISDICTION; to include the whole of the Burgh of Galashiels within the County, Sheriffdom, and Commissariot of Selkirk	85.	S.
GALLERY, NATIONAL; to make further Provision for the Enlargement of the National Gallery	41.	E.
GALWAY HARBOUR; to authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the Galway Harbour Commissioners, and to make Arrangements for the Payment of the Amounts for which such Debt and another Debt are to be compounded; and for other Purposes	56.	I.
GANGS (AGRICULTURAL); for the Regulation of Agricultural Gangs	130.	E.
GENERAL PIER AND HARBOUR ACT. *See* PIERS AND HARBOURS.		
GENERAL POLICE AND IMPROVEMENT; to confirm certain Provisional Orders under 25 & 26 Vict. c. 101. relating to the Burgh of Dundee	79.	S.
——— to confirm a Provisional Order under 25 & 26 Vict. c. 101., relating to the City of Edinburgh	58.	S.
GIRVAN. *See* PIERS AND HARBOURS.		
GOVERNMENT OFFICERS; to provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations	108.	G.B. & I.
GRAND JURY (WEXFORD); to validate certain Proceedings of the Grand Jury of the County of Wexford	77.	I.
GRAZING LAND. *See* HYPOTHEC.		
GREAT HARWOOD. *See* LOCAL GOVERNMENT.		
GUARANTEE OF GOVERNMENT OFFICERS; to provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations	108.	G.B. & I.
H.		
HABEAS CORPUS SUSPENSION; to further continue the Act 29 & 30 Vict. c. 1. to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government	1.	I.
——— to continue the preceding Act	25.	I.
HALIFAX. *See* LOCAL GOVERNMENT.		
HALIFAX AND QUEBEC RAILWAY; for authorizing a Guarantee of Interest on a Loan to be raised by Canada towards the Construction of a Railway connecting Quebec and Halifax	16.	U.K
HARBOURS. *See* GALWAY. LIMERICK. PIERS AND HARBOURS.		
HARROGATE. *See* LOCAL GOVERNMENT.		
HARROW. *See* LOCAL GOVERNMENT.		

	Cap.	Relating to
HEALTH, PUBLIC; to consolidate and amend the Law relating to the Public Health in Scotland - - - -	101.	S.
HEMPEN MANUFACTURES. *See* LINEN, &c. MANUFACTURES.		
HERRING FISHERIES; to alter and amend the Acts relating to the British White Herring Fishery - - - -	52.	S.
HIGH COURT OF CHANCERY. *See* CHANCERY, COURT OF.		
HOURS OF LABOUR REGULATION; for regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto - - - - - - -	146.	G.B. & I.
——— *See also* FACTORY ACTS AMENDMENT.		
HOUSES OF PARLIAMENT; to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint John the Evangelist, Westminster - - - - - - -	40.	E.
HYPOTHEC; to amend the Law relating to the Landlord's Right of Hypothec in Scotland, in so far as respects Land held for Agricultural or Grazing Purposes - - -	42.	S.
IDIOTS, CUSTODY OF. *See* LUNATICS, &c.		
IMPROVEMENT OF LANDS. *See* LANDS.		
INCLOSURE OF LANDS; to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - - -	20. 71.	E.
INCUMBENTS, STIPENDS OF. *See* CHURCH TEMPORALITIES.		
INDEMNITY; to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - - - - - -	88.	G.B. & I.
INDUSTRIAL AND PROVIDENT SOCIETIES; to amend the Industrial and Provident Societies Acts 18 & 19 Vict. c. 63. and 25 & 26 Vict. c. 87. - - - - - - -	117.	G.B. & I.
INFECTIOUS DISEASES. *See* DISEASES AMONG CATTLE.		
INLAND REVENUE; to alter certain Duties and to amend the Laws relating to the Inland Revenue [Excise, Stamps, Taxes] - - - - - -	90.	U.K.
——— to grant and alter certain Duties of Customs and Inland Revenue, and for other Purposes relating thereto - - - - - - - -	23.	U.K.
——— *See also* DOGS.		
INSANE POOR. *See* METROPOLITAN POOR.		
INSPECTION OF WEIGHTS AND MEASURES; to provide for the Inspection of Weights and Measures, and to regulate the Law relating thereto in certain Parts of the Police District of Dublin Metropolis - - - - - -	94.	I.
INVESTMENT OF TRUST FUNDS; to remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments - - -	132.	E. & I.
INVOCATION OF THE SAINTS. *See* TRANSUBSTANTIATION, &c.		

	Cap.	Relating to
IRELAND, ACTS RELATING SPECIALLY TO. *See* ADMIRALTY COURT. ALIMONY ARREARS. BACKING OF WARRANTS. BANK POST BILLS. BLACKWATER BRIDGE. BRIDGES. CHANCERY, COURT OF. CHARITABLE DONATIONS, &c. CHURCH TEMPORALITIES. COMMON LAW COURTS. COUNTY TREASURERS. COURTS OF LAW OFFICERS. DISTRICT LUNATIC ASYLUMS. DOGS. DRAINAGE, &c. DUBLIN. GALWAY HARBOUR. GRAND JURY (WEXFORD). HABEAS CORPUS SUSPENSION. LIMERICK HARBOUR. LINEN, &c., MANUFACTURES. LUNACY, &c. NEW ROSS BRIDGE. PETTY SESSIONS. PUBLIC RECORDS. PUBLIC WORKS. QUINAGH AND PARSONSTOWN DRAINAGE. RAILWAYS. SCHOOL OF PHYSIC. SHEEP. STAMP DUTY. UNIVERSITY OF DUBLIN. WEIGHTS AND MEASURES, DUBLIN. WELLESLEY BRIDGE.		
IRVINE. *See* PIERS AND HARBOURS.		
ISLE OF MAN; to alter certain Duties of Customs in the -	86.	U.K.

J.

JOINT STOCK BANKING COMPANIES; to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies - - - - - -	29.	G.B. & I.
JUDGES CHAMBERS; to provide for the better Despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law - - -	68.	E.
——— to facilitate the Transaction of Business in the Chambers of the Judges of the High Court of Chancery, &c.	87.	E.
JUDGMENTS. *See* CROWN DEBTS, &c.		
JURISDICTION OF COUNTY COURTS; to amend the Acts relating to the - - - - - - -	142.	E.
JUSTICE, ADMINISTRATION OF. *See* ADMIRALTY COURT. ALIMONY ARREARS. APPEAL, COURT OF. BACKING OF WARRANTS. CHANCERY, COURT OF. CHESTER COURTS. COMMON LAW COURTS. COUNTY COURTS. COURTS OF LAW. COURTS OF REFEREES. CRIMINAL LAW. CRIMINAL LUNATICS. HABEAS CORPUS SUSPENSION. JUDGES CHAMBERS. MASTER AND SERVANT. OATHS, &c. PETTY SESSIONS. SHERIFF COURTS. STIPENDIARY MAGISTRATE. TRADES UNIONS.		
JUSTICES OF THE PEACE; to remove Disqualifications of Justices of the Peace in certain Cases - - - - - -	115.	G.B. & I.

K.

KING OF ARMS. *See* LYON KING OF ARMS.		
KNIGHTS OF WINDSOR; to make further Provision respecting the Naval Knights of Windsor - - - - - -	100.	E.

L.

LABOUR REGULATION; for regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto	146.	G.B. & I.
——— *See also* FACTORY ACTS EXTENSION.		

	Cap.	Relating to
LABOURING CLASSES DWELLINGS; to amend "The Labouring Classes Dwellings Acts, 1866," (29 & 30 Vict. c. 28., 44 -	28.	G.B. & I.
LAND—LANDS. *See* DRAINAGE. HYPOTHEC. INCLOSURE. SALE. VALUATION. SEWAGE.		
LAND TAX COMMISSIONERS; to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes - - - - - -	51.	G. B.
LANDLORD'S RIGHT OF HYPOTHEC; to amend the Law relating to the Landlord's Right of Hypothec in Scotland, in so far as respects Land held for Agricultural or Grazing Purposes	42.	S.
LAWS (EXPIRING); to continue various expiring Laws - -	143.	U.K.
LAYTON-WITH-WARBRICK. *See* LOCAL GOVERNMENT.		
LIBRARIES, PUBLIC; to amend and consolidate the Public Libraries (Scotland) Acts (17 & 18 Vict. c. 64. and 29 & 30 Vict. c. 114.) - - - - - - -	37.	S.
LIFE ASSURANCE POLICIES, to enable Assignees of, to sue thereon in their own Names - - - - -	144.	G.B. & I.
LIMERICK HARBOUR; to authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes - - - - - - - -	53.	I.
LINEN, &c. MANUFACTURES; to amend certain Acts (3 & 4 Vict. c. 91., &c.) relating to Linen, Hempen, and other Manufactures in Ireland - - - - - -	60.	I.
LIS PENDENS; to amend the Companies Act, 1862, (25 & 26 Vict. c. 89.) and also the Act 23 & 24 Vict. c. 115., to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments - - -	47.	G.B. & I.
LOANS FOR PUBLIC WORKS; to authorize further Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; for the Purposes of the Public Works (Manufacturing Districts) Acts 1863, 1864 (26 & 27 Vict. c. 70. and 27 & 28 Vict. c. 104.); and to amend the Acts authorizing Advances for Public Works - - - - - - -	32.	U.K.
LOCAL DUES ON SHIPPING; for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships - - - - - - -	15.	U.K.
LOCAL GOVERNMENT; to confirm certain Provisional Orders under "The Local Government Act, 1858," (21 & 22 Vict. c. 98.) relating to the Districts of Gainsborough, Farsley, Bideford, Canterbury, Chepping Wycombe, Worthing, and Wednesfield; and for other Purposes relative to certain Districts under that Act - - - - - -	21.	E.
——— to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the District of Halifax; and for other Purposes relative to the said District under that Act - - -	45.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Derby, Sherborne, Royton, Bedford (Lancashire), Slough, Sandown, Burton-upon-Trent, West Cowes, and Accrington - -	65.	E.

	Cap.	Relating to
LOCAL GOVERNMENT;—		
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Oswaldtwistle, Devizes, Layton-with-Warbrick (Blackpool), and Harrogate; and for other Purposes relative to certain Districts under the said Act	67.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Ramsgate, Tunbridge Wells, Bognor, Newport, Chesterfield, Malvern, Great Harwood, and Harrow; and for other Purposes relative to certain Districts under that Act	83.	E.
——— to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Exeter, Devonport, Reading, Warley, and Midgley, and for other Purposes relative to certain Districts under the said Act	123.	E.
LORD CHANCELLOR OF IRELAND. *See* OFFICES AND OATHS.		
LUNATICS—LUNATIC ASYLUMS; to amend the Law relating to Criminal Lunatics	12.	E.
——— to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in Scotland may be granted	55.	S.
——— to provide for the Appointment of the Officers and Servants of District Lunatic Asylums, and to alter and amend the Law relating to the Custody of dangerous Lunatics and dangerous Idiots, in Ireland	118.	I.
——— *See also* CHANCERY, COURT OF.		
LYON KING OF ARMS; to regulate the Court and Office of the Lyon King of Arms in Scotland, and the Emoluments of the Officers of the same	17.	S.

M.

MAGISTRATE (STIPENDIARY); for the Appointment of a Stipendiary Magistrate for Chatham and Sheerness in the County of Kent	63.	E.
MALVERN. *See* LOCAL GOVERNMENT.		
MAN, ISLE OF. *See* ISLE OF MAN.		
MANUFACTURES. *See* LINEN, &c. MANUFACTURES.		
MANUFACTURING DISTRICTS. *See* PUBLIC WORKS, &c.		
MARINES; for the Regulation of Her Majesty's Royal Marine Forces while on shore	14.	U.K.
MARRIAGES (MORRO VELHO); to legalize certain Marriages solemnized at Morro Velho in Brazil	93.	U.K.
——— (ODESSA); for removing Doubts as to the Validity of certain Marriages between British Subjects at Odessa	2.	U.K.
MASTER AND SERVANT; to amend the Statute Law as between Master and Servant	141.	G.B. & I.
MASTERS AND WORKMEN. *See* WORKMEN.		
MEASURES. *See* WEIGHTS AND MEASURES.		
MERCHANT SHIPPING; to amend the Merchant Shipping Act, 1854 (17 & 18 Vict. c. 104.)	124.	U.K.

	Cap.	Relating to
METROPOLITAN POLICE; for amending the Law with respect to the Accounts of the Receiver for the Metropolitan Police District; and for other Purposes relating to the Metropolitan Police - - - - -	39.	E.
METROPOLITAN POOR; for the Establishment in the Metropolis of Asylums for the Sick, Insane, and other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for other Purposes relating to Poor Relief in the Metropolis - - - -	6.	E.
METROPOLITAN STREET TRAFFIC; for regulating the Traffic in the Metropolis, and for making Provision for the greater Security of Persons passing through the Streets; and for other Purposes - - - - -	134.	E.
MIDGLEY. *See* LOCAL GOVERNMENT.		
MILITARY CANAL; to authorize a Sale or Lease of the Royal Military Canal and its collateral Works; and for other Purposes - - - - - - - -	140.	E.
MILITIA; to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quarter-masters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers - - - -	92.	U.K.
—— to form a Reserve of Men in the Militia to join Her Majesty's Army in the event of War - - -	111.	U.K.
MORRO VELHO MARRIAGES; to legalize certain Marriages solemnized at Morro Velho in Brazil - - - - -	93	U.K.
MUTINY; for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters -	13.	U.K.
—— for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - - - -	14.	U.K.

N.

NATIONAL DEBT; to provide for the Conversion of Twenty-four million Pounds Sterling of the National Debt into Terminable Annuities - - - - -	26.	U.K.
NATIONAL GALLERY ENLARGEMENT; to make further Provision for the Enlargement of the National Gallery - -	41.	E.
NAVAL KNIGHTS OF WINDSOR; to make further Provision respecting the - - - - - - -	100.	E.
NAVAL OUT-PENSIONERS. *See* RESERVE FORCE.		
NAVAL STORES; for the Protection of Naval Stores - -	119.	E.
NEW BRUNSWICK. *See* BRITISH NORTH AMERICA.		
NEW COURTS OF JUSTICE. *See* FEES (COURTS OF LAW).		
NEW PALACE AT WESTMINSTER; to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint James the Evangelist, Westminster - - - - -	40.	E.
NEW ROSS BRIDGE; to validate certain Proceedings of the Grand Jury of the County of Wexford. [Purchase of New Ross Bridge] - - - - - -	77.	I.

	Cap.	Relating to
NEW WINDSOR; for extinguishing certain Rights of Way over and along Barrack Lane in the Borough of - -	109.	E.
NEWPORT. *See* LOCAL GOVERNMENT.		
NORTH AMERICAN PROVINCES; for the Union of Canada, Nova Scotia, and New Brunswick, and the Government thereof; and for Purposes connected therewith - - -	3.	U.K.
NOVA SCOTIA. *See* BRITISH NORTH AMERICA.		

O.

OATHS, &c.; to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office - - -	75.	G.B. & I.
——— to enable the Courts of Referees to administer Oaths and award Costs in certain Cases, in the same Manner as Committees on Private Bills - -	136.	U.K.
ODESSA; for removing Doubts as to the Validity of certain Marriages between British Subjects at Odessa - -	2.	U.K.
OFFICERS (COURT OF CHANCERY, &c.); to facilitate the transaction of Business in the Chambers of the Judges of the High Court of Chancery, and in the Offices of the Registrars and Accountant General of the said Court, and in Lunacy	87.	E.
OFFICERS (COURTS OF LAW); to alter and regulate the Official Establishment of the High Court of Chancery and of the Superior Courts of Common Law in Ireland - -	129.	I.
OFFICERS GUARANTEE; to provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations - - -	108.	G.B. & I.
OFFICERS OF LUNATIC ASYLUMS. *See* LUNATICS, &c.		
OFFICES AND OATHS; to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office - - -	75.	G.B. & I.
ORDERS VALIDATION. *See* CHURCH TEMPORALITIES.		
ORDINATION FEES; for the Establishment of a Table of Fees to be taken on the Consecration of Churches, Chapels, and Burial Grounds, and on the Ordination of Deacons and Priests, and on Visitations - - - -	135.	E.
OSWALDTWISTLE. *See* LOCAL GOVERNMENT.		
OXFORD (CHRIST CHURCH); to repeal certain Ordinances made for the Cathedral or House of Christ Church in Oxford by the Commissioners appointed under the Oxford University Act, 1854 (17 & 18 Vict. c. 81.), and to substitute a new Ordinance in lieu thereof - - - -	76.	E.
OYSTER FISHERIES; for the Preservation and further Protection of Oyster Fisheries - - - - -	18.	G.B. & I.

P.

PARLIAMENT, PROROGATION OF; to simplify the Forms of Prorogation during the Recess of Parliament - -	81.	G.B. & I.
PARLIAMENTARY SECRETARY OF THE BOARD OF TRADE; abolishing the Office of Vice-President of the Board of Trade, and substituting a Secretary with a Seat in Parliament -	72.	U.K.
PARSONSTOWN DRAINAGE; to confirm Provisional Orders for the Quinagh and Parsonstown Drainage Districts respectively - - - - - - -	139.	I.

	Cap.	Relating to
PATRIOTIC FUND, to make better Provision for the Administration of the - - - - - - -	98.	U.K.
PAY. *See* ARMY. MILITIA.		
PENTICE COURTS. *See* CHESTER COURTS.		
PEOPLE, REPRESENTATION OF THE; to amend the Laws relating to the Representation of the People in England and Wales	102.	E.
PETTY SESSIONS; to amend the Petty Sessions Act (Ireland), 1851 (14 & 15 Vict. c. 93.), as to the backing of Warrants	19.	I.
PIERS AND HARBOURS; for confirming certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861 (24 & 25 Vict. c. 45.), relating to Balbriggan, Cromer, Dingwall, Girvan, Rothesay, and Seaford - - -	33.	G.B.
——— for confirming a Provisional Order made by the Board of Trade relating to the Construction of a Pier at Cleethorpes in the County of Lincoln - -	61.	E.
——— for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Bray and Irvine -	73.	G.B. & I.
PILOTAGE ORDER CONFIRMATION; to amend the Tyne Pilotage Order Confirmation Act, 1865 (28 & 29 Vict. c. 44.) -	78.	E.
POLICE (DUBLIN); to amend the Laws regulating the Superannuation Allowances of the Dublin Metropolitan Police -	95.	I.
POLICE (METROPOLITAN); for amending the Law with respect to the Accounts of the Receiver for the Metropolitan Police District; and for other Purposes - - -	39.	E.
POLICE AND IMPROVEMENT (SCOTLAND). *See* GENERAL POLICE AND IMPROVEMENT.		
POLICIES OF ASSURANCE; to enable Assignees of Policies of Life Assurance to sue thereon in their own Names -	144.	G.B. & I.
POOR—POOR RELIEF; to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor - - -	106.	E.
——— for the Establishment in the Metropolis of Asylums for the Sick, Insane, and other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for other Purposes relating to Poor Relief -	6.	E.
PORTMOTE COURTS. *See* CHESTER COURTS.		
PORT'S (SIR JOHN) CHARITY; for confirming an amended Scheme of the Charity Commissioners for the Charity called Sir John Port's Hospital in Etwall and School in Repton in the County of Derby - - - -	99.	E.
PRACTICE. *See* ADMIRALTY COURT. CHANCERY, COURT OF.		
PRIESTS, ORDINATION OF. *See* ORDINATION FEES.		
PROCEDURE. *See* ADMIRALTY COURT. CHANCERY, COURT OF.		
PROFESSORSHIPS OF ANATOMY, &c., DUBLIN; to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of Dublin, to all Persons irrespective of their religious Creed; and to amend the Act 40 Geo. 3. c. 84. (I.) - - - - -	9.	I.
PROROGATION OF PARLIAMENT; to simplify the Forms of Prorogation during the Recess of Parliament - -	81.	G.B. & I.
PROVIDENT SOCIETIES; to amend the Industrial and Provident Societies Acts 18 & 19 Vict. c. 63. and 25 & 26 Vict. c. 87.	117.	G.B. & I.
PROVINCIAL COURTS. *See* ALIMONY ARREARS.		
PROVISIONAL ORDERS. *See* DRAINAGE OF LANDS. LOCAL GOVERNMENT. PIERS AND HARBOURS. TURNPIKE TRUSTS.		

	Cap.	Relating to
PUBLIC HEALTH; to consolidate and amend the Law relating to the Public Health in Scotland	101.	S.
PUBLIC LIBRARIES; to amend and consolidate the Public Libraries (Scotland) Acts (17 & 18 Vict. c. 64. and 29 & 30 Vict. c. 114.)	37.	S.
PUBLIC RECORDS; to provide for keeping safely the Public Records of Ireland	70.	I.
PUBLIC WORKS; to authorize further Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; for the Purposes of the Public Works (Manufacturing Districts) Acts, 1863, 1864 (26 & 27 Vict. c. 70. and 27 & 28 Vict. c. 104.); and to amend the Acts authorizing Advances for Public Works	32.	U.K.
——— to provide further Facilities for the Repair of Roads, Bridges, and other Public Works in Ireland in case of sudden Damage	112.	I.
——— *See also* WELLESLEY BRIDGE.		
PURCHASE AND SALE OF SHARES. *See* JOINT STOCK BANKING COMPANIES.		

Q.

	Cap.	Relating to
QUALIFICATION FOR OFFICES. *See* INDEMNITY. TRANSUBSTANTIATION, &c.		
QUEBEC AND HALIFAX RAILWAY; for authorizing a Guarantee of Interest on a Loan to be raised by Canada towards the Construction of a Railway connecting Quebec and Halifax	16.	U.K.
QUINAGH AND PARSONSTOWN DRAINAGE; to confirm Provisional Orders for the Quinagh and Parsonstown Drainage Districts respectively	139.	I.

R.

	Cap.	Relating to
RAILWAYS—RAILWAY COMPANIES; to amend the Law relating to Railway Companies	127.	E. & I.
——— to amend the Law relating to Railway Companies in Scotland	126.	S.
——— to define the Duties of the Assessor of Railways in Scotland in making up the Valuation Roll of Railways, and to amend in certain respects the Valuation of Lands (Scotland) Acts (17 & 18 Vict. c. 91. and 20 & 21 Vict. c. 58.)	80.	S.
——— to amend and extend, as to Railways in Ireland, the Provisions of the Act 7 & 8 Vict. c. 85., "to attach "certain Conditions to the Construction of future "Railways authorized or to be authorized by any "Act of the present or succeeding Sessions of "Parliament; and for other Purposes"	104.	I.
——— to authorize the Extension of the Period for Repayment of Advances made under The Railway Companies (Ireland) Temporary Advances Act, 1866 (29 & 30 Vict. c. 95.)	138.	I.
——— for authorizing a Guarantee of Interest on a Loan to be raised by Canada towards the Construction of a Railway connecting Quebec and Halifax	16.	U.K.

	Cap.	Relating to
RAMSGATE. *See* LOCAL GOVERNMENT.		
READING. *See* LOCAL GOVERNMENT.		
REAL ESTATE CHARGES; to explain the Operation of the Act 17 & 18 Vict. c. 113., to amend the Law relating to the Administration of deceased Persons - - -	69.	E. & I.
RECEIVER (METROPOLITAN POLICE); for amending the Law with respect to the Accounts of the Receiver for the Metropolitan Police District; and for other Purposes relating to the Metropolitan Police - - -	39.	E.
RECESS OF PARLIAMENT, to simplify the Forms of Prorogation during the - - - - - - -	81.	G.B. & I.
RECORDS, PUBLIC; to provide for keeping safely the Public Records of Ireland - - - - - - -	70.	I.
RECOVERY OF DEBTS; to facilitate the Recovery of certain Debts in the Sheriff Courts in Scotland - -	96.	E.
REDUCTION OF THE NATIONAL DEBT; to provide for the Conversion of Twenty-four million Pounds Sterling of the National Debt into Terminable Annuities - - -	26.	U.K.
REFEREES, COURTS OF; to enable the Courts of Referees to administer Oaths and award Costs in certain Cases, in the same Manner as Committees on Private Bills - -	136.	U.K.
REFORM. *See* REPRESENTATION OF THE PEOPLE.		
REGISTRARS IN CHANCERY. *See* CHANCERY, COURT OF.		
RELIEF OF THE POOR. *See* POOR.		
RELIGIOUS DISABILITIES; to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office - -	75.	G.B. & I.
REMOVAL OF DISQUALIFICATIONS. *See* JUSTICES OF THE PEACE.		
REPAIR OF ROADS. *See* PUBLIC WORKS.		
REPEAL OF UNNECESSARY ENACTMENTS. *See* STATUTE LAW REVISION.		
REPRESENTATION OF THE PEOPLE; further to amend the Laws relating to the Representation of the People in England and Wales - - - - - - -	102.	E.
REPTON SCHOOL. *See* SIR JOHN PORT'S CHARITY.		
RESERVE FORCE; to consolidate and amend the Acts for rendering effective the Service of Chelsea and Naval Out-Pensioners and Pensioners of the East India Company, and for establishing a Reserve Force of Men who have been in Her Majesty's Service - - - - - - -	110.	U.K.
——— to form a Reserve of Men in the Militia to join Her Majesty's Army in the event of War - -	111.	U.K.
REVISION OF THE STATUTE LAW; for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary - - - - - - -	59.	U.K.
RIGHTS OF HYPOTHEC. *See* HYPOTHEC.		
RIGHTS OF WAY; for extinguishing certain Rights of Way over and along Barrack Lane in the Borough of New Windsor in the County of Berks - - - - - -	109.	E.
ROADS; to continue certain Turnpike Acts in Great Britain; to repeal certain other Turnpike Acts; and to make further Provisions concerning Turnpike Roads - -	121.	G.B.
——— *See also* TURNPIKE TRUSTS, &c.		

	Cap.	Relating to
ROTHESAY. *See* PIERS AND HARBOURS.		
ROYAL ARSENAL, &c.; to amend the Act 28 & 29 Vict. c. 61., for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal -	24. 145.	G.B. & I.
ROYAL MARINES. *See* MARINES.		
ROYAL MILITARY CANAL; to authorize a Sale or Lease of the Royal Military Canal and its collateral Works; and for other Purposes - - - - - - -	140.	E.
ROYTON. *See* LOCAL GOVERNMENT.		

S.

SACRIFICE OF THE MASS. *See* TRANSUBSTANTIATION, &c.		
SALE OF LAND BY AUCTION; for amending the Law of Auctions of Estates - - - - - - -	48.	E. & I.
SALE AND PURCHASE OF SHARES; to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies - - - - - - -	29.	G.B. & I.
SANDOWN. *See* LOCAL GOVERNMENT.		
SCHOOL OF PHYSIC; to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of Dublin, to all Persons irrespective of their religious Creed; and to amend the Act 40 Geo. 3. c. 84. (I.) - -	9.	I.
SCOTLAND, ACTS RELATING SPECIALLY TO. *See* ADMINISTRATION OF TRUSTS. BRITISH WHITE HERRING FISHERY. CANONGATE ANNUITY TAX. CERTIFICATES IN LUNACY. DUNDEE. EDINBURGH. GALASHIELS JURISDICTION. GENERAL POLICE AND IMPROVEMENT. HYPOTHEC. LUNACY, &c. LYON KING OF ARMS. PUBLIC HEALTH. PUBLIC LIBRARIES. RAILWAYS. SCOTTISH HERRING FISHERY. SELKIRK, COUNTY, &c., OF. TRUSTS. VALUATION OF LANDS.		
SCOTTISH HERRING FISHERIES; to alter and amend the Acts relating to the British White Herring Fishery - -	52.	S.
SEAFORD. *See* PIERS AND HARBOURS.		
SECRETARY OF THE BOARD OF TRADE; abolishing the Office of Vice-President of the Board of Trade, and substituting a Secretary with a Seat in Parliament - - -	72.	U.K.
SECURITIES. *See* TRUST FUNDS.		
SELKIRK, COUNTY, &c., OF; to include the whole of the Burgh of Galashiels within the County, Sheriffdom, and Commissariot of Selkirk - - - - -	85.	S.
SERVANTS; to amend the Statute Law as between Master and Servant - - - - - -	141.	G.B. & I.
SEWAGE UTILIZATION; for facilitating the Distribution of Sewage Matter over Land and otherwise amending the Law relating to Sewer Authorities - - -	113.	G.B. & I.
SHARES, SALE, &c., OF; to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies - - - - - -	29.	G.B. & I.
SHEEP; to amend the Act 28 & 29 Vict. c. 50., for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in Ireland - - -	116.	I.

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SHEFFIELD. *See* LOCAL GOVERNMENT.		
SHERBORNE. *See* LOCAL GOVERNMENT.		
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SHERIFF COURTS; to facilitate the Recovery of certain Debts in the Sheriff Courts in Scotland	96.	E.
SHIPPING; to amend the Merchant Shipping Act, 1854 (17 & 18 Vict. c. 104.)	124.	U.K.
——— for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships	15.	U.K.
SICK POOR. *See* METROPOLITAN POOR.		
SIR JOHN PORT'S CHARITY; for confirming an amended Scheme of the Charity Commissioners for the Charity called Sir John Port's Hospital in Etwall and School in Repton in County of Derby	99.	E.
SITUATIONS OF TRUST. *See* OFFICERS GUARANTEE.		
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SOCIETIES. *See* GOVERNMENT OFFICERS. INDUSTRIAL AND PROVIDENT SOCIETIES.		
SPIRITS, BRITISH; to allow Warehoused British Spirits to be bottled for Home Consumption	27.	U.K.
STAMP DUTY; to render perpetual the Act 27 & 28 Vict. c. 86. " to permit, for a limited Period, Compositions for " Stamp Duty on Bank Post Bills of Five Pounds " and upwards in Ireland"	89.	I.
——— *See also* INLAND REVENUE.		
STATUTE LAW REVISION; further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary	59.	U.K.
STIPENDIARY MAGISTRATE; for the Appointment of a Stipendiary Magistrate for Chatham and Sheerness in the County of Kent	63.	E.
STIPENDS OF INCUMBENTS. *See* CHURCH TEMPORALITIES.		
STORES, NAVAL; for the Protection of Naval Stores	119.	E.
STORES, WAR DEPARTMENT; for the Protection of War Department Stores	128.	E.
STREET TRAFFIC (METROPOLIS); for regulating the Traffic in the Metropolis, and for making Provision for the greater Security of Persons passing through the Streets; and for other Purposes	134.	E.
SUGAR DUTIES; to amend the Law relating to the Duties and Drawbacks on Sugar	10.	U.K.
SUPERANNUATION ALLOWANCES; to amend the Laws regulating the Allowances of the Dublin Metropolitan Police	95.	I.
SUPERIOR COURTS. *See* COMMON LAW OFFICERS.		
SUPPLIES, APPROPRIATION OF. *See* APPROPRIATION OF SUPPLIES.		
SUSPENSION OF THE HABEAS CORPUS; to further continue the Act 29 & 30 Vict. c. 1. to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government	1.	I.
——— to continue the preceding Act	25.	I.

	Cap.	Relating to
T.		
TEMPORALITIES, CHURCH. *See* CHURCH TEMPORALITIES.		
TERMINABLE ANNUITIES; to provide for the Conversion of Twenty-four million Pounds Sterling of the National Debt into Terminable Annuities - - -	26.	U.K.
THAMES EMBANKMENT (NORTH SHORE); to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint James the Evangelist, Westminster - - -	40.	E.
TRADES UNIONS; for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen - -	8.	E.
——— to extend the preceding Act - - - -	74.	E.
TRAFFIC REGULATION (METROPOLIS); for regulating the Traffic in the Metropolis, and for making Provision for the greater Security of Persons passing through the Streets; and for other Purposes - - -	134.	E.
TRANSUBSTANTIATION, &c. DECLARATION ABOLITION; to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, the Invocation of the Saints, and the Sacrifice of the Mass, as practised in the Church of Rome; and to render it unnecessary to take, make, or subscribe the same as the Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right -	62.	G.B. & I.
TREASURERS (COUNTY); to amend the Law relating to the Office of County Treasurer in Ireland - - -	46.	I.
TRUST FUNDS; to remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments - - - -	132.	E. & I.
TRUSTS; to facilitate the Administration of Trusts in Scotland	97.	S.
TRUSTS, TURNPIKE. *See* TURNPIKE TRUSTS, &c.		
TUNBRIDGE WELLS. *See* LOCAL GOVERNMENT.		
TURNPIKE TRUSTS, &c; to confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts -	66.	E.
——— to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provision concerning Turnpike Roads -	121.	G.B.
TYNE PILOTAGE; to amend The Tyne Pilotage Order Confirmation Act, 1865 (28 & 29 Vict. c. 44.)	78.	E.
U.		
UNION OF NORTH AMERICAN PROVINCES. *See* CANADA, &c.		
UNIONS (TRADES); for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen - -	8.	E.
——— to extend the preceding Act - - - -	74.	E.

	Cap.	Relating to
UNIVERSITY OF DUBLIN; to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of Dublin, to all Persons irrespective of their religious Creed; and to amend the Act 40 Geo. 3. c. 84. (I.) -	9.	I.
UNIVERSITY OF OXFORD. *See* CHRIST CHURCH, OXFORD.		
UTILIZATION OF SEWAGE; for facilitating the Distribution of Sewage Matter over Land, and otherwise amending the Law relating to Sewer Authorities - - -	113.	G.B. & I.

V.

VACCINATION; to consolidate and amend the Laws relating to Vaccination - - - - - - -	84.	E.
VALIDITY OF MARRIAGES; for removing Doubts as to the Validity of certain Marriages between British Subjects at Odessa - - - - -	2.	U.K.
——— to legalize certain Marriages solemnized at Morro Velho in Brazil - - - - - -	93.	U.K.
VALUATION OF LANDS; to define the Duties of the Assessor of Railways in Scotland in making up the Valuation Roll of Railways, and to amend in certain respects the Valuation of Lands (Scotland) Acts (17 & 18 Vict. c. 91. and 20 & 21 Vict. c. 58.) - - - - -	80.	S.
VICE-ADMIRALTY COURTS; to extend and amend the Vice-Admiralty Courts Act, 1863 (26 & 27 Vict. c. 24.) -	45.	U.K.
VICE-PRESIDENT OF THE BOARD OF TRADE; abolishing the Office of, and substituting a Secretary with a Seat in Parliament -	72.	U.K.
VISITATIONS, FEES ON. *See* FEES ON CONSECRATION, &c.		

W.

WAR DEPARTMENT STORES; for the Protection of War Department Stores - - - - - - -	128.	E.
WARLEY. *See* LOCAL GOVERNMENT.		
WARRANTS, BACKING OF; to amend the Petty Sessions Act (Ireland), 1851 (14 & 15 Vict. c. 93.), as to the backing of Warrants - - - - - - -	19.	I.
WATERFORD COUNTY. *See* BLACKWATER BRIDGE.		
WEDNESFIELD. *See* LOCAL GOVERNMENT.		
WEIGHTS AND MEASURES, (DUBLIN); to provide for the Inspection of Weights and Measures, and to regulate the Law relating thereto in certain Parts of the Police District of Dublin Metropolis - - - - -	94.	I.
WELLESLEY BRIDGE; for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes - - -	53.	I.
WEST COWES. *See* LOCAL GOVERNMENT.		
WEST INDIA RELIEF; to authorize an Alteration in the Mode of Repayment of a Loan made by the West India Relief Commissioners to the Island of Dominica - -	91.	U.K.
WEXFORD GRAND JURY; to validate certain Proceedings of the Grand Jury of the County of Wexford - - -	77.	I.
WHITE HERRING FISHERY. *See* HERRING FISHERIES.		

	Cap.	Relating to
WINDSOR; for extinguishing certain Rights of Way over and along Barrack Lane in the Borough of New Windsor	109.	E.
——— to make further Provision respecting the Naval Knights of Windsor - - - - - -	100.	E.
WOMEN. *See* FACTORY ACTS EXTENSION. HOURS OF LABOUR REGULATION.		
WORKMEN; for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen - - - -	8.	E.
——— to extend the preceding Act - - - - -	74.	E.
——— to establish Equitable Councils of Conciliation to adjust Differences between Masters and Workmen - -	105.	G.B. & I.
WORKS, PUBLIC. *See* PUBLIC WORKS.		
WORKSHOPS REGULATION; for regulating the Hours of Labour for Children, Young Persons, and Women, employed in Workshops; and for other Perposes relating thereto - - - - - - - - - -	146.	G.B. & I.
——— *See also* FACTORY ACTS.		
WORTHING. *See* LOCAL GOVERNMENT.		

Y.

YOUGHAL. *See* BLACKWATER BRIDGE.
YOUNG PERSONS. *See* FACTORY ACTS EXTENSION. HOURS OF LABOUR REGULATION.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO REGNI

VICTORIÆ,

Britanniarum Reginæ,

TRICESIMO.

At the Parliament begun and holden at *Westminster,* the Fifth Day of *February, Anno Domini* 1867, in the Thirtieth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland,* Queen, Defender of the Faith :

Being the SECOND SESSION of the NINETEENTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland.*

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
1867.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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Session of Parliament, and the same will accordingly expire on the Twenty-sixth Day of *February* One thousand eight hundred and sixty-seven:

And whereas the treasonable Conspiracy in the first-recited Act mentioned still exists, and it is therefore expedient to continue the said Powers and Provisions for a further limited Period:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

First-recited Act further continued until 1st June 1867.

1. The first-recited Act, and the several Powers and Provisions therein contained, shall continue in force until the First Day of *June* One thousand eight hundred and sixty-seven, and the said Act shall be read and construed as if the Words "the First Day of *June* "One thousand eight hundred and sixty-seven" were throughout the said Act substituted for the Words "the First of *September* One "thousand eight hundred and sixty-six."

All Prisoners under this Act to be treated as untried Prisoners.

2. All Prisoners at present in Confinement under the Warrant of the Lord Lieutenant of *Ireland* by virtue of the Powers of the first-recited Act, or who shall be hereafter arrested and committed to Prison in pursuance of same or of this Act, shall while in such Confinement be treated as untried Prisoners.

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VICTORIÆ REGINÆ.

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Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Legalization of certain Marriages at Odessa notwithstanding Noncompliance with recited Act.

1. All Marriages solemnized at *Odessa* previously to the passing of this Act by or in the Presence of the said *Eustace C. Grenville Murray* (both or one of the Parties to such Marriages being Subjects or a Subject of this Realm) shall, notwithstanding any Noncompliance with the Provisions of the said Act of the Session of the Twelfth and Thirteenth Years of Her present Majesty, Chapter Sixty-eight, be held to be as valid as if all the Provisions of the said Act had been duly complied with.

Evidence of Solemnization of Marriage.

2. Where in the Copy of the Entry of any Marriage certified as required by the said Act such Marriage purports to have been solemnized by or in the Presence of the said *Eustace C. Grenville Murray*, the Production of such Copy, or of any certified Copy thereof, shall be Evidence of such Marriage having been solemnized by or in the Presence of the said *Eustace C. Grenville Murray*.

Short Title.

3. This Act may be cited for all Purposes as "The *Odessa* Marriage Act, 1867."

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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I.—PRELIMINARY.

Short Title.

1. This Act may be cited as The *British North America* Act, 1867.

Application of Provisions referring to the Queen.

2. The Provisions of this Act referring to Her Majesty the Queen extend also to the Heirs and Successors of Her Majesty, Kings and Queens of the United Kingdom of *Great Britain* and *Ireland*.

II.—UNION.

Declaration of Union.

3. It shall be lawful for the Queen, by and with the Advice of Her Majesty's Most Honourable Privy Council, to declare by Proclamation that, on and after a Day therein appointed, not being more than Six Months after the passing of this Act, the Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* shall form and be One Dominion under the Name of *Canada*; and on and after that Day those Three Provinces shall form and be One Dominion under that Name accordingly.

Construction of subsequent Provisions of Act.

4. The subsequent Provisions of this Act shall, unless it is otherwise expressed or implied, commence and have effect on and after the Union, that is to say, on and after the Day appointed for the Union taking effect in the Queen's Proclamation; and in the same Provisions, unless it is otherwise expressed or implied, the Name *Canada* shall be taken to mean *Canada* as constituted under this Act.

Four Provinces.

5. *Canada* shall be divided into Four Provinces, named *Ontario*, *Quebec*, *Nova Scotia*, and *New Brunswick*.

Provinces of Ontario and Quebec.

6. The Parts of the Province of *Canada* (as it exists at the passing of this Act) which formerly constituted respectively the Provinces of *Upper Canada* and *Lower Canada* shall be deemed to be severed, and shall form Two separate Provinces. The Part which formerly constituted the Province of *Upper Canada* shall constitute the Province of *Ontario*; and the Part which formerly constituted the Province of *Lower Canada* shall constitute the Province of *Quebec*.

Provinces of Nova Scotia and New Brunswick.

7. The Provinces of *Nova Scotia* and *New Brunswick* shall have the same Limits as at the passing of this Act.

Decennial Census.

8. In the general Census of the Population of *Canada* which is hereby required to be taken in the Year One thousand eight hundred and

and seventy-one, and in every Tenth Year thereafter, the respective Populations of the Four Provinces shall be distinguished.

III.—Executive Power.

Declaration of Executive Power in the Queen.

9. The Executive Government and Authority of and over *Canada* is hereby declared to continue and be vested in the Queen.

Application of Provisions referring to Governor General.

10. The Provisions of this Act referring to the Governor General extend and apply to the Governor General for the Time being of *Canada*, or other the Chief Executive Officer or Administrator for the Time being carrying on the Government of *Canada* on behalf and in the Name of the Queen, by whatever Title he is designated.

Constitution of Privy Council for Canada.

11. There shall be a Council to aid and advise in the Government of *Canada*, to be styled the Queen's Privy Council for *Canada;* and the Persons who are to be Members of that Council shall be from Time to Time chosen and summoned by the Governor General and sworn in as Privy Councillors, and Members thereof may be from Time to Time removed by the Governor General.

All Powers under Acts to be exercised by Governor General with Advice of Privy Council, or alone.

12. All Powers, Authorities, and Functions which under any Act of the Parliament of *Great Britain*, or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*, or of the Legislature of *Upper Canada*, *Lower Canada*, *Canada*, *Nova Scotia*, or *New Brunswick*, are at the Union vested in or exerciseable by the respective Governors or Lieutenant Governors of those Provinces, with the Advice, or with the Advice and Consent, of the respective Executive Councils thereof, or in conjunction with those Councils, or with any Number of Members thereof, or by those Governors or Lieutenant Governors individually, shall, as far as the same continue in existence and capable of being exercised after the Union in relation to the Government of *Canada*, be vested in and exerciseable by the Governor General, with the Advice or with the Advice and Consent of or in conjunction with the Queen's Privy Council for *Canada*, or any Members thereof, or by the Governor General individually, as the Case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of *Great Britain* or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*) to be abolished or altered by the Parliament of *Canada*.

Application of Provisions referring to

13. The Provisions of this Act referring to the Governor General in Council shall be construed as referring to the Governor General acting

Governor General in Council.

acting by and with the Advice of the Queen's Privy Council for *Canada*.

Power to Her Majesty to authorize Governor General to appoint Deputies.

14. It shall be lawful for the Queen, if Her Majesty thinks fit, to authorize the Governor General from Time to Time to appoint any Person or any Persons jointly or severally to be his Deputy or Deputies within any Part or Parts of *Canada*, and in that Capacity to exercise during the Pleasure of the Governor General such of the Powers, Authorities, and Functions of the Governor General as the Governor General deems it necessary or expedient to assign to him or them, subject to any Limitations or Directions expressed or given by the Queen; but the Appointment of such a Deputy or Deputies shall not affect the Exercise by the Governor General himself of any Power, Authority, or Function.

Command of armed Forces to continue to be vested in the Queen.

15. The Command-in-Chief of the Land and Naval Militia, and of all Naval and Military Forces, of and in *Canada*, is hereby declared to continue and be vested in the Queen.

Seat of Government of Canada.

16. Until the Queen otherwise directs, the Seat of Government of *Canada* shall be *Ottawa*.

IV.—Legislative Power.

Constitution of Parliament of Canada.

17. There shall be One Parliament for *Canada*, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.

Privileges, &c. of Houses.

18. The Privileges, Immunities, and Powers to be held, enjoyed, and exercised by the Senate and by the House of Commons and by the Members thereof respectively shall be such as are from Time to Time defined by Act of the Parliament of *Canada*, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of *Great Britain* and *Ireland* and by the Members thereof.

First Session of the Parliament of Canada.

19. The Parliament of *Canada* shall be called together not later than Six Months after the Union.

Yearly Session of the Parliament of Canada.

20. There shall be a Session of the Parliament of *Canada* once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Parliament in one Session and its first Sitting in the next Session.

The

The Senate.

21. The Senate shall, subject to the Provisions of this Act, consist of Seventy-two Members, who shall be styled Senators. Number of Senators.

22. In relation to the Constitution of the Senate *Canada* shall be deemed to consist of Three Divisions: Representation of Provinces in Senate.

1. *Ontario;*
2. *Quebec;*
3. The Maritime Provinces, *Nova Scotia* and *New Brunswick;*

which Three Divisions shall (subject to the Provisions of this Act) be equally represented in the Senate as follows: *Ontario* by Twenty-four Senators; *Quebec* by Twenty-four Senators; and the Maritime Provinces by Twenty-four Senators, Twelve thereof representing *Nova Scotia*, and Twelve thereof representing *New Brunswick*.

In the Case of *Quebec* each of the Twenty-four Senators representing that Province shall be appointed for One of the Twenty-four Electoral Divisions of *Lower Canada* specified in Schedule A. to Chapter One of the Consolidated Statutes of *Canada*.

23. The Qualifications of a Senator shall be as follows: Qualifications of Senator.

(1.) He shall be of the full Age of Thirty Years:

(2.) He shall be either a natural-born Subject of the Queen, or a Subject of the Queen naturalized by an Act of the Parliament of *Great Britain*, or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*, or of the Legislature of One of the Provinces of *Upper Canada*, *Lower Canada*, *Canada*, *Nova Scotia*, or *New Brunswick*, before the Union, or of the Parliament of *Canada* after the Union:

(3.) He shall be legally or equitably seised as of Freehold for his own Use and Benefit of Lands or Tenements held in Free and Common Socage, or seised or possessed for his own Use and Benefit of Lands or Tenements held in Francalleu or in Roture, within the Province for which he is appointed, of the Value of Four thousand Dollars, over and above all Rents, Dues, Debts, Charges, Mortgages, and Incumbrances due or payable out of or charged on or affecting the same:

(4.) His Real and Personal Property shall be together worth Four thousand Dollars over and above his Debts and Liabilities:

(5.) He shall be resident in the Province for which he is appointed:

(6.) In the Case of *Quebec* he shall have his Real Property Qualification in the Electoral Division for which he is appointed, or shall be resident in that Division.

Summons of Senator.

24. The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of *Canada*, summon qualified Persons to the Senate; and, subject to the Provisions of this Act, every Person so summoned shall become and be a Member of the Senate and a Senator.

Summons of First Body of Senators.

25. Such Persons shall be first summoned to the Senate as the Queen by Warrant under Her Majesty's Royal Sign Manual thinks fit to approve, and their Names shall be inserted in the Queen's Proclamation of Union.

Addition of Senators in certain Cases.

26. If at any Time on the Recommendation of the Governor General the Queen thinks fit to direct that Three or Six Members be added to the Senate, the Governor General may by Summons to Three or Six qualified Persons (as the Case may be), representing equally the Three Divisions of *Canada*, add to the Senate accordingly.

Reduction of Senate to normal Number.

27. In case of such Addition being at any Time made, the Governor General shall not summon any Person to the Senate, except on a further like Direction by the Queen on the like Recommendation, until each of the Three Divisions of *Canada* is represented by Twenty-four Senators and no more.

Maximum Number of Senators.

28. The Number of Senators shall not at any Time exceed Seventy-eight.

Tenure of Place in Senate.

29. A Senator shall, subject to the Provisions of this Act, hold his Place in the Senate for Life.

Resignation of Place in Senate.

30. A Senator may by Writing under his Hand addressed to the Governor General resign his Place in the Senate, and thereupon the same shall be vacant.

Disqualification of Senators.

31. The Place of a Senator shall become vacant in any of the following Cases:

(1.) If for Two consecutive Sessions of the Parliament he fails to give his Attendance in the Senate:

(2.) If he takes an Oath or makes a Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to a Foreign Power, or does an Act whereby he becomes a Subject or Citizen,

Citizen, or entitled to the Rights or Privileges of a Subject or Citizen, of a Foreign Power :

(3.) If he is adjudged Bankrupt or Insolvent, or applies for the Benefit of any Law relating to Insolvent Debtors, or becomes a public Defaulter :

(4.) If he is attainted of Treason or convicted of Felony or of any infamous Crime :

(5.) If he ceases to be qualified in respect of Property or of Residence ; provided, that a Senator shall not be deemed to have ceased to be qualified in respect of Residence by reason only of his residing at the Seat of the Government of *Canada* while holding an Office under that Government requiring his Presence there.

Summons on Vacancy in Senate.

32. When a Vacancy happens in the Senate by Resignation, Death, or otherwise, the Governor General shall by Summons to a fit and qualified Person fill the Vacancy.

Questions as to Qualifications and Vacancies in Senate.

33. If any Question arises respecting the Qualification of a Senator or a Vacancy in the Senate the same shall be heard and determined by the Senate.

Appointment of Speaker of Senate.

34. The Governor General may from Time to Time, by Instrument under the Great Seal of *Canada*, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his Stead.

Quorum of Senate.

35. Until the Parliament of *Canada* otherwise provides, the Presence of at least Fifteen Senators, including the Speaker, shall be necessary to constitute a Meeting of the Senate for the Exercise of its Powers.

Voting in Senate.

36. Questions arising in the Senate shall be decided by a Majority of Voices, and the Speaker shall in all Cases have a Vote, and when the Voices are equal the Decision shall be deemed to be in the Negative.

The House of Commons.

Constitution of House of Commons in Canada.

37. The House of Commons shall, subject to the Provisions of this Act, consist of One hundred and eighty-one Members, of whom Eighty-two shall be elected for *Ontario*, Sixty-five for *Quebec*, Nineteen for *Nova Scotia*, and Fifteen for *New Brunswick*.

Summoning of House of Commons.

38. The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of *Canada*, summon and call together the House of Commons.

Senators not to sit in House of Commons.

39. A Senator shall not be capable of being elected or of sitting or voting as a Member of the House of Commons.

Electoral Districts of the Four Provinces.

40. Until the Parliament of *Canada* otherwise provides, *Ontario*, *Quebec*, *Nova Scotia*, and *New Brunswick* shall, for the Purposes of the Election of Members to serve in the House of Commons, be divided into Electoral Districts as follows:

1.—*Ontario.*

Ontario shall be divided into the Counties, Ridings of Counties, Cities, Parts of Cities, and Towns enumerated in the First Schedule to this Act, each whereof shall be an Electoral District, each such District as numbered in that Schedule being entitled to return One Member.

2.—*Quebec.*

Quebec shall be divided into Sixty-five Electoral Districts, composed of the Sixty-five Electoral Divisions into which *Lower Canada* is at the passing of this Act divided under Chapter Two of the Consolidated Statutes of *Canada*, Chapter Seventy-five of the Consolidated Statutes for *Lower Canada*, and the Act of the Province of *Canada* of the Twenty-third Year of the Queen, Chapter One, or any other Act amending the same in force at the Union, so that each such Electoral Division shall be for the Purposes of this Act an Electoral District entitled to return One Member.

3.—*Nova Scotia.*

Each of the Eighteen Counties of *Nova Scotia* shall be an Electoral District. The County of *Halifax* shall be entitled to return Two Members, and each of the other Counties One Member.

4.—*New Brunswick.*

Each of the Fourteen Counties into which *New Brunswick* is divided, including the City and County of *St. John*, shall be an Electoral District. The City of *St. John* shall also be a separate Electoral District. Each of those Fifteen Electoral Districts shall be entitled to return One Member.

41. Until

Continuance of existing Election Laws until Parliament of Canada otherwise provides.

41. Until the Parliament of *Canada* otherwise provides, all Laws in force in the several Provinces at the Union relative to the following Matters or any of them, namely,—the Qualifications and Disqualifications of Persons to be elected or to sit or vote as Members of the House of Assembly or Legislative Assembly in the several Provinces, the Voters at Elections of such Members, the Oaths to be taken by Voters, the Returning Officers, their Powers and Duties, the Proceedings at Elections, the Periods during which Elections may be continued, the Trial of controverted Elections, and Proceedings incident thereto, the vacating of Seats of Members, and the Execution of new Writs in case of Seats vacated otherwise than by Dissolution,—shall respectively apply to Elections of Members to serve in the House of Commons for the same several Provinces.

Provided that, until the Parliament of *Canada* otherwise provides, at any Election for a Member of the House of Commons for the District of *Algoma*, in addition to Persons qualified by the Law of the Province of *Canada* to vote, every Male *British* Subject, aged Twenty-one Years or upwards, being a Householder, shall have a Vote.

Writs for First Election.

42. For the First Election of Members to serve in the House of Commons the Governor General shall cause Writs to be issued by such Person, in such Form, and addressed to such Returning Officers as he thinks fit.

The Person issuing Writs under this Section shall have the like Powers as are possessed at the Union by the Officers charged with the issuing of Writs for the Election of Members to serve in the respective House of Assembly or Legislative Assembly of the Province of *Canada*, *Nova Scotia*, or *New Brunswick*; and the Returning Officers to whom Writs are directed under this Section shall have the like Powers as are possessed at the Union by the Officers charged with the returning of Writs for the Election of Members to serve in the same respective House of Assembly or Legislative Assembly.

As to Casual Vacancies.

43. In case a Vacancy in the Representation in the House of Commons of any Electoral District happens before the Meeting of the Parliament, or after the Meeting of the Parliament before Provision is made by the Parliament in this Behalf, the Provisions of the last foregoing Section of this Act shall extend and apply to the issuing and returning of a Writ in respect of such vacant District.

As to Election of Speaker of House of Commons.

44. The House of Commons on its first assembling after a General Election shall proceed with all practicable Speed to elect One of its Members to be Speaker.

45. In

As to filling up Vacancy in Office of Speaker.

45. In case of a Vacancy happening in the Office of Speaker by Death, Resignation, or otherwise, the House of Commons shall with all practicable Speed proceed to elect another of its Members to be Speaker.

Speaker to preside.

46. The Speaker shall preside at all Meetings of the House of Commons.

Provision in case of Absence of Speaker.

47. Until the Parliament of *Canada* otherwise provides, in case of the Absence for any Reason of the Speaker from the Chair of the House of Commons for a Period of Forty-eight consecutive Hours, the House may elect another of its Members to act as Speaker, and the Member so elected shall during the Continuance of such Absence of the Speaker have and execute all the Powers, Privileges, and Duties of Speaker.

Quorum of House of Commons.

48. The Presence of at least Twenty Members of the House of Commons shall be necessary to constitute a Meeting of the House for the Exercise of its Powers, and for that Purpose the Speaker shall be reckoned as a Member.

Voting in House of Commons.

49. Questions arising in the House of Commons shall be decided by a Majority of Voices other than that of the Speaker, and when the Voices are equal, but not otherwise, the Speaker shall have a Vote.

Duration of House of Commons.

50. Every House of Commons shall continue for Five Years from the Day of the Return of the Writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer.

Decennial Re-adjustment of Representation.

51. On the Completion of the Census in the Year One thousand eight hundred and seventy-one, and of each subsequent decennial Census, the Representation of the Four Provinces shall be re-adjusted by such Authority, in such Manner, and from such Time, as the Parliament of *Canada* from Time to Time provides, subject and according to the following Rules:

(1.) *Quebec* shall have the fixed Number of Sixty-five Members:

(2.) There shall be assigned to each of the other Provinces such a Number of Members as will bear the same Proportion to the Number of its Population (ascertained at such Census) as the Number Sixty-five bears to the Number of the Population of *Quebec* (so ascertained):

(3.) In the Computation of the Number of Members for a Province a fractional Part not exceeding One Half of the whole

whole Number requisite for entitling the Province to a Member shall be disregarded; but a fractional Part exceeding One Half of that Number shall be equivalent to the whole Number:

(4.) On any such Re-adjustment the Number of Members for a Province shall not be reduced unless the Proportion which the Number of the Population of the Province bore to the Number of the aggregate Population of *Canada* at the then last preceding Re-adjustment of the Number of Members for the Province is ascertained at the then latest Census to be diminished by One Twentieth Part or upwards:

(5.) Such Re-adjustment shall not take effect until the Termination of the then existing Parliament.

Increase of Number of House of Commons.

52. The Number of Members of the House of Commons may be from Time to Time increased by the Parliament of *Canada*, provided the proportionate Representation of the Provinces prescribed by this Act is not thereby disturbed.

Money Votes; Royal Assent.

Appropriation and Tax Bills.

53. Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

Recommendation of Money Votes.

54. It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Royal Assent to Bills, &c.

55. Where a Bill passed by the Houses of the Parliament is presented to the Governor General for the Queen's Assent, he shall declare, according to his Discretion, but subject to the Provisions of this Act and to Her Majesty's Instructions, either that he assents thereto in the Queen's Name, or that he withholds the Queen's Assent, or that he reserves the Bill for the Signification of the Queen's Pleasure.

Disallowance by Order in Council of Act assented to by Governor General.

56. Where the Governor General assents to a Bill in the Queen's Name, he shall by the first convenient Opportunity send an authentic Copy of the Act to One of Her Majesty's Principal Secretaries of State, and if the Queen in Council within Two Years after Receipt thereof by the Secretary of State thinks fit to disallow

disallow the Act, such Disallowance (with a Certificate of the Secretary of State of the Day on which the Act was received by him) being signified by the Governor General, by Speech or Message to each of the Houses of the Parliament or by Proclamation, shall annul the Act from and after the Day of such Signification.

Signification of Queen's Pleasure on Bill reserved.

57. A Bill reserved for the Signification of the Queen's Pleasure shall not have any Force unless and until, within Two Years from the Day on which it was presented to the Governor General for the Queen's Assent, the Governor General signifies, by Speech or Message to each of the Houses of the Parliament or by Proclamation, that it has received the Assent of the Queen in Council.

An Entry of every such Speech, Message, or Proclamation shall be made in the Journal of each House, and a Duplicate thereof duly attested shall be delivered to the proper Officer to be kept among the Records of *Canada*.

V.—Provincial Constitutions.

Executive Power.

Appointment of Lieutenant Governors of Provinces.

58. For each Province there shall be an Officer, styled the Lieutenant Governor, appointed by the Governor General in Council by Instrument under the Great Seal of *Canada*.

Tenure of Office of Lieutenant Governor.

59. A Lieutenant Governor shall hold Office during the Pleasure of the Governor General; but any Lieutenant Governor appointed after the Commencement of the First Session of the Parliament of *Canada* shall not be removeable within Five Years from his Appointment, except for Cause assigned, which shall be communicated to him in Writing within One Month after the Order for his Removal is made, and shall be communicated by Message to the Senate and to the House of Commons within One Week thereafter if the Parliament is then sitting, and if not then within One Week after the Commencement of the next Session of the Parliament.

Salaries of Lieutenant Governors.

60. The Salaries of the Lieutenant Governors shall be fixed and provided by the Parliament of *Canada*.

Oaths, &c. of Lieutenant Governor.

61. Every Lieutenant Governor shall, before assuming the Duties of his Office, make and subscribe before the Governor General or some Person authorized by him Oaths of Allegiance and Office similar to those taken by the Governor General.

Application of Provisions referring to

62. The Provisions of this Act referring to the Lieutenant Governor extend and apply to the Lieutenant Governor for the Time being

being of each Province, or other the Chief Executive Officer or Administrator for the Time being carrying on the Government of the Province, by whatever Title he is designated. Lieutenant Governor.

63. The Executive Council of *Ontario* and of *Quebec* shall be composed of such Persons as the Lieutenant Governor from Time to Time thinks fit, and in the first instance of the following Officers, namely,—the Attorney General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, with in *Quebec* the Speaker of the Legislative Council and the Solicitor General. Appointment of Executive Officers for Ontario and Quebec.

64. The Constitution of the Executive Authority in each of the Provinces of *Nova Scotia* and *New Brunswick* shall, subject to the Provisions of this Act, continue as it exists at the Union until altered under the Authority of this Act. Executive Government of Nova Scotia and New Brunswick.

65. All Powers, Authorities, and Functions which under any Act of the Parliament of *Great Britain*, or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*, or of the Legislature of *Upper Canada*, *Lower Canada*, or *Canada*, were or are before or at the Union vested in or exerciseable by the respective Governors or Lieutenant Governors of those Provinces, with the Advice or with the Advice and Consent of the respective Executive Councils thereof, or in conjunction with those Councils, or with any Number of Members thereof, or by those Governors or Lieutenant Governors individually, shall, as far as the same are capable of being exercised after the Union in relation to the Government of *Ontario* and *Quebec* respectively, be vested in and shall or may be exercised by the Lieutenant Governor of *Ontario* and *Quebec* respectively, with the Advice or with the Advice and Consent of or in conjunction with the respective Executive Councils, or any Members thereof, or by the Lieutenant Governor individually, as the Case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of *Great Britain*, or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*,) to be abolished or altered by the respective Legislatures of *Ontario* and *Quebec*. Powers to be exercised by Lieutenant Governor of Ontario or Quebec with Advice, or alone.

66. The Provisions of this Act referring to the Lieutenant Governor in Council shall be construed as referring to the Lieutenant Governor of the Province acting by and with the Advice of the Executive Council thereof. Application of Provisions referring to Lieutenant Governor in Council.

67. The

Administration in Absence, &c. of Lieutenant Governor.

67. The Governor General in Council may from Time to Time appoint an Administrator to execute the Office and Functions of Lieutenant Governor during his Absence, Illness, or other Inability.

Seats of Provincial Governments.

68. Unless and until the Executive Government of any Province otherwise directs with respect to that Province, the Seats of Government of the Provinces shall be as follows, namely,—of *Ontario*, the City of *Toronto*; of *Quebec*, the City of *Quebec*; of *Nova Scotia*, the City of *Halifax*; and of *New Brunswick*, the City of *Fredericton*.

Legislative Power.

1.—*Ontario.*

Legislature for Ontario.

69. There shall be a Legislature for *Ontario* consisting of the Lieutenant Governor and of One House, styled the Legislative Assembly of *Ontario*.

Electoral Districts.

70. The Legislative Assembly of *Ontario* shall be composed of Eighty-two Members, to be elected to represent the Eighty-two Electoral Districts set forth in the First Schedule to this Act.

2.—*Quebec.*

Legislature for Quebec.

71. There shall be a Legislature for *Quebec* consisting of the Lieutenant Governor and of Two Houses, styled the Legislative Council of *Quebec* and the Legislative Assembly of *Quebec*.

Constitution of Legislative Council.

72. The Legislative Council of *Quebec* shall be composed of Twenty-four Members, to be appointed by the Lieutenant Governor, in the Queen's Name, by Instrument under the Great Seal of *Quebec*, one being appointed to represent each of the Twenty-four Electoral Divisions of *Lower Canada* in this Act referred to, and each holding Office for the Term of his Life, unless the Legislature of *Quebec* otherwise provides under the Provisions of this Act.

Qualification of Legislative Councillors.

73. The Qualifications of the Legislative Councillors of *Quebec* shall be the same as those of the Senators for *Quebec*.

Resignation, Disqualification, &c.

74. The Place of a Legislative Councillor of *Quebec* shall become vacant in the Cases, *mutatis mutandis*, in which the Place of Senator becomes vacant.

Vacancies.

75. When a Vacancy happens in the Legislative Council of *Quebec* by Resignation, Death, or otherwise, the Lieutenant Governor, in the Queen's Name, by Instrument under the Great Seal of *Quebec*, shall appoint a fit and qualified Person to fill the Vacancy.

76. If

Questions as to Vacancies, &c.

76. If any Question arises respecting the Qualification of a Legislative Councillor of *Quebec*, or a Vacancy in the Legislative Council of *Quebec*, the same shall be heard and determined by the Legislative Council.

Speaker of Legislative Council.

77. The Lieutenant Governor may from Time to Time, by Instrument under the Great Seal of *Quebec*, appoint a Member of the Legislative Council of *Quebec* to be Speaker thereof, and may remove him and appoint another in his Stead.

Quorum of Legislative Council.

78. Until the Legislature of *Quebec* otherwise provides, the Presence of at least Ten Members of the Legislative Council, including the Speaker, shall be necessary to constitute a Meeting for the Exercise of its Powers.

Voting in Legislative Council.

79. Questions arising in the Legislative Council of *Quebec* shall be decided by a Majority of Voices, and the Speaker shall in all Cases have a Vote, and when the Voices are equal the Decision shall be deemed to be in the Negative.

Constitution of Legislative Assembly of Quebec.

80. The Legislative Assembly of *Quebec* shall be composed of Sixty-five Members, to be elected to represent the Sixty-five Electoral Divisions or Districts of *Lower Canada* in this Act referred to, subject to Alteration thereof by the Legislature of *Quebec*: Provided that it shall not be lawful to present to the Lieutenant Governor of *Quebec* for Assent any Bill for altering the Limits of any of the Electoral Divisions or Districts mentioned in the Second Schedule to this Act, unless the Second and Third Readings of such Bill have been passed in the Legislative Assembly with the Concurrence of the Majority of the Members representing all those Electoral Divisions or Districts, and the Assent shall not be given to such Bill unless an Address has been presented by the Legislative Assembly to the Lieutenant Governor stating that it has been so passed.

3.—*Ontario and Quebec.*

First Session of Legislatures.

81. The Legislatures of *Ontario* and *Quebec* respectively shall be called together not later than Six Months after the Union.

Summoning of Legislative Assemblies.

82. The Lieutenant Governor of *Ontario* and of *Quebec* shall from Time to Time, in the Queen's Name, by Instrument under the

the Great Seal of the Province, summon and call together the Legislative Assembly of the Province.

Restriction on Election of Holders of Offices.

83. Until the Legislature of *Ontario* or of *Quebec* otherwise provides, a Person accepting or holding in *Ontario* or in *Quebec* any Office, Commission, or Employment, permanent or temporary, at the Nomination of the Lieutenant Governor, to which an annual Salary, or any Fee, Allowance, Emolument, or Profit of any Kind or Amount whatever from the Province is attached, shall not be eligible as a Member of the Legislative Assembly of the respective Province, nor shall he sit or vote as such; but nothing in this Section shall make ineligible any Person being a Member of the Executive Council of the respective Province, or holding any of the following Offices, that is to say, the Offices of Attorney General, Secretary and Registrar of the Province, Treasurer of the Province, Commissioner of Crown Lands, and Commissioner of Agriculture and Public Works, and in *Quebec* Solicitor General, or shall disqualify him to sit or vote in the House for which he is elected, provided he is elected while holding such Office.

Continuance of existing Election Laws.

84. Until the Legislatures of *Ontario* and *Quebec* respectively otherwise provide, all Laws which at the Union are in force in those Provinces respectively, relative to the following Matters, or any of them, namely,—the Qualifications and Disqualifications of Persons to be elected or to sit or vote as Members of the Assembly of *Canada*, the Qualifications or Disqualifications of Voters, the Oaths to be taken by Voters, the Returning Officers, their Powers and Duties, the Proceedings at Elections, the Periods during which such Elections may be continued, and the Trial of controverted Elections and the Proceedings incident thereto, the vacating of the Seats of Members and the issuing and execution of new Writs in case of Seats vacated otherwise than by Dissolution, —shall respectively apply to Elections of Members to serve in the respective Legislative Assemblies of *Ontario* and *Quebec*.

Provided that, until the Legislature of *Ontario* otherwise provides, at any Election for a Member of the Legislative Assembly of *Ontario* for the District of *Algoma*, in addition to Persons qualified by the Law of the Province of *Canada* to vote, every Male *British* Subject, aged Twenty-one Years or upwards, being a Householder, shall have a Vote.

Duration of Legislative Assemblies.

85. Every Legislative Assembly of *Ontario* and every Legislative Assembly of *Quebec* shall continue for Four Years from the Day of the Return of the Writs for choosing the same (subject nevertheless to either the Legislative Assembly of *Ontario* or the Legislative Assembly

Assembly of *Quebec* being sooner dissolved by the Lieutenant Governor of the Province), and no longer.

Yearly Session of Legislature.

86. There shall be a Session of the Legislature of *Ontario* and of that of *Quebec* once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Legislature in each Province in one Session and its first Sitting in the next Session.

Speaker, Quorum, &c.

87. The following Provisions of this Act respecting the House of Commons of *Canada* shall extend and apply to the Legislative Assemblies of *Ontario* and *Quebec*, that is to say,—the Provisions relating to the Election of a Speaker originally and on Vacancies, the Duties of the Speaker, the Absence of the Speaker, the Quorum, and the Mode of voting, as if those Provisions were here re-enacted and made applicable in Terms to each such Legislative Assembly.

4.—*Nova Scotia and New Brunswick.*

Constitutions of Legislatures of Nova Scotia and New Brunswick.

88. The Constitution of the Legislature of each of the Provinces of *Nova Scotia* and *New Brunswick* shall, subject to the Provisions of this Act, continue as it exists at the Union until altered under the Authority of this Act; and the House of Assembly of *New Brunswick* existing at the passing of this Act shall, unless sooner dissolved, continue for the Period for which it was elected.

5.—*Ontario, Quebec, and Nova Scotia.*

First Elections.

89. Each of the Lieutenant Governors of *Ontario*, *Quebec*, and *Nova Scotia* shall cause Writs to be issued for the First Election of Members of the Legislative Assembly thereof in such Form and by such Person as he thinks fit, and at such Time and addressed to such Returning Officer as the Governor General directs, and so that the First Election of Member of Assembly for any Electoral District or any Subdivision thereof shall be held at the same Time and at the same Places as the Election for a Member to serve in the House of Commons of *Canada* for that Electoral District.

6.—*The Four Provinces.*

Application to Legislatures of Provisions respecting Money Votes, &c.

90. The following Provisions of this Act respecting the Parliament of *Canada*, namely,—the Provisions relating to Appropriation and Tax Bills, the Recommendation of Money Votes, the Assent to Bills, the Disallowance of Acts, and the Signification of Pleasure on Bills reserved,—shall extend and apply to the Legislatures of the several

several Provinces as if those Provisions were here re-enacted and made applicable in Terms to the respective Provinces and the Legislatures thereof, with the Substitution of the Lieutenant Governor of the Province for the Governor General, of the Governor General for the Queen and for a Secretary of State, of One Year for Two Years, and of the Province for *Canada*.

VI.—Distribution of Legislative Powers.

Powers of the Parliament.

Legislative Authority of Parliament of Canada.

91. It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and good Government of *Canada*, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces; and for greater Certainty, but not so as to restrict the Generality of the foregoing Terms of this Section, it is hereby declared that (notwithstanding anything in this Act) the exclusive Legislative Authority of the Parliament of *Canada* extends to all Matters coming within the Classes of Subjects next herein-after enumerated; that is to say,—

1. The Public Debt and Property.
2. The Regulation of Trade and Commerce.
3. The raising of Money by any Mode or System of Taxation.
4. The borrowing of Money on the Public Credit.
5. Postal Service.
6. The Census and Statistics.
7. Militia, Military and Naval Service, and Defence.
8. The fixing of and providing for the Salaries and Allowances of Civil and other Officers of the Government of *Canada*.
9. Beacons, Buoys, Lighthouses, and *Sable Island*.
10. Navigation and Shipping.
11. Quarantine and the Establishment and Maintenance of Marine Hospitals.
12. Sea Coast and Inland Fisheries.
13. Ferries between a Province and any *British* or Foreign Country or between Two Provinces.
14. Currency and Coinage.
15. Banking, Incorporation of Banks, and the Issue of Paper Money.
16. Savings Banks.
17. Weights and Measures.
18. Bills of Exchange and Promissory Notes.
19. Interest.

19. Interest.
20. Legal Tender.
21. Bankruptcy and Insolvency.
22. Patents of Invention and Discovery.
23. Copyrights.
24. *Indians*, and Lands reserved for the *Indians*.
25. Naturalization and Aliens.
26. Marriage and Divorce.
27. The Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters.
28. The Establishment, Maintenance, and Management of Penitentiaries.
29. Such Classes of Subjects as are expressly excepted in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.

And any Matter coming within any of the Classes of Subjects enumerated in this Section shall not be deemed to come within the Class of Matters of a local or private Nature comprised in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.

Exclusive Powers of Provincial Legislatures.

Subjects of exclusive Provincial Legislation.

92. In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next herein-after enumerated; that is to say,—

1. The Amendment from Time to Time, notwithstanding anything in this Act, of the Constitution of the Province, except as regards the Office of Lieutenant Governor.
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
3. The borrowing of Money on the sole Credit of the Province.
4. The Establishment and Tenure of Provincial Offices and the Appointment and Payment of Provincial Officers.
5. The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon.
6. The Establishment, Maintenance, and Management of Public and Reformatory Prisons in and for the Province.
7. The Establishment, Maintenance, and Management of Hospitals, Asylums, Charities, and Eleemosynary Institutions in and for the Province, other than Marine Hospitals.
8. Municipal Institutions in the Province.
9. Shop, Saloon, Tavern, Auctioneer, and other Licences in order to the raising of a Revenue for Provincial, Local, or Municipal Purposes.

10. Local Works and Undertakings other than such as are of the following Classes:—

a. Lines of Steam or other Ships, Railways, Canals, Telegraphs, and other Works and Undertakings connecting the Province with any other or others of the Provinces, or extending beyond the Limits of the Province:

b. Lines of Steam Ships between the Province and any *British* or Foreign Country:

c. Such Works as, although wholly situate within the Province, are before or after their Execution declared by the Parliament of *Canada* to be for the general Advantage of *Canada* or for the Advantage of Two or more of the Provinces.

11. The Incorporation of Companies with Provincial Objects.

12. The Solemnization of Marriage in the Province.

13. Property and Civil Rights in the Province.

14. The Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and of Criminal Jurisdiction, and including Procedure in Civil Matters in those Courts.

15. The Imposition of Punishment by Fine, Penalty, or Imprisonment for enforcing any Law of the Province made in relation to any Matter coming within any of the Classes of Subjects enumerated in this Section.

16. Generally all Matters of a merely local or private Nature in the Province.

Education.

Legislation respecting Education.

93. In and for each Province the Legislature may exclusively make Laws in relation to Education, subject and according to the following Provisions:—

(1.) Nothing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by Law in the Province at the Union:

(2.) All the Powers, Privileges, and Duties at the Union by Law conferred and imposed in *Upper Canada* on the Separate Schools and School Trustees of the Queen's Roman Catholic Subjects shall be and the same are hereby extended to the Dissentient Schools of the Queen's Protestant and Roman Catholic Subjects in *Quebec:*

(3.) Where

(3.) Where in any Province a System of Separate or Dissentient Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education:

(4.) In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that Behalf, then and in every such Case, and as far only as the Circumstances of each Case require, the Parliament of *Canada* may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor General in Council under this Section.

Uniformity of Laws in Ontario, Nova Scotia, and New Brunswick.

Legislation for Uniformity of Laws in Three Provinces.

94. Notwithstanding anything in this Act, the Parliament of *Canada* may make Provision for the Uniformity of all or any of the Laws relative to Property and Civil Rights in *Ontario*, *Nova Scotia*, and *New Brunswick*, and of the Procedure of all or any of the Courts in those Three Provinces, and from and after the passing of any Act in that Behalf the Power of the Parliament of *Canada* to make Laws in relation to any Matter comprised in any such Act shall, notwithstanding anything in this Act, be unrestricted; but any Act of the Parliament of *Canada* making Provision for such Uniformity shall not have effect in any Province unless and until it is adopted and enacted as Law by the Legislature thereof.

Agriculture and Immigration.

Concurrent Powers of Legislation respecting Agriculture, &c.

95. In each Province the Legislature may make Laws in relation to Agriculture in the Province, and to Immigration into the Province; and it is hereby declared that the Parliament of *Canada* may from Time to Time make Laws in relation to Agriculture in all or any of the Provinces, and to Immigration into all or any of the Provinces; and any Law of the Legislature of a Province relative to Agriculture or to Immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any Act of the Parliament of *Canada*.

VII.—JUDICATURE.

Appointment of Judges.

96. The Governor General shall appoint the Judges of the Superior, District, and County Courts in each Province, except those of the Courts of Probate in *Nova Scotia* and *New Brunswick*.

Selection of Judges in Ontario, &c.

97. Until the Laws relative to Property and Civil Rights in *Ontario*, *Nova Scotia*, and *New Brunswick*, and the Procedure of the Courts in those Provinces, are made uniform, the Judges of the Courts of those Provinces appointed by the Governor General shall be selected from the respective Bars of those Provinces.

Selection of Judges in Quebec.

98. The Judges of the Courts of *Quebec* shall be selected from the Bar of that Province.

Tenure of Office of Judges of Superior Courts.

99. The Judges of the Superior Courts shall hold Office during good Behaviour, but shall be removable by the Governor General on Address of the Senate and House of Commons.

Salaries, &c. of Judges.

100. The Salaries, Allowances, and Pensions of the Judges of the Superior, District, and County Courts (except the Courts of Probate in *Nova Scotia* and *New Brunswick*), and of the Admiralty Courts in Cases where the Judges thereof are for the Time being paid by Salary, shall be fixed and provided by the Parliament of *Canada*.

General Court of Appeal, &c.

101. The Parliament of *Canada* may, notwithstanding anything in this Act, from Time to Time provide for the Constitution, Maintenance, and Organization of a General Court of Appeal for *Canada*, and for the Establishment of any additional Courts for the better Administration of the Laws of *Canada*.

VIII.—REVENUES; DEBTS; ASSETS; TAXATION.

Creation of Consolidated Revenue Fund.

102. All Duties and Revenues over which the respective Legislatures of *Canada*, *Nova Scotia*, and *New Brunswick* before and at the Union had and have Power of Appropriation, except such Portions thereof as are by this Act reserved to the respective Legislatures of the Provinces, or are raised by them in accordance with the special Powers conferred on them by this Act, shall form One Consolidated Revenue Fund, to be appropriated for the Public Service of *Canada* in the Manner and subject to the Charges in this Act provided.

Expenses of Collection, &c.

103. The Consolidated Revenue Fund of *Canada* shall be permanently charged with the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, and the same shall

shall form the First Charge thereon, subject to be reviewed and audited in such Manner as shall be ordered by the Governor General in Council until the Parliament otherwise provides.

Interest of Provincial Public Debts.

104. The annual Interest of the Public Debts of the several Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* at the Union shall form the Second Charge on the Consolidated Revenue Fund of *Canada*.

Salary of Governor General.

105. Unless altered by the Parliament of *Canada*, the Salary of the Governor General shall be Ten thousand Pounds Sterling Money of the United Kingdom of *Great Britain* and *Ireland*, payable out of the Consolidated Revenue Fund of *Canada*, and the same shall form the Third Charge thereon.

Appropriation from Time to Time.

106. Subject to the several Payments by this Act charged on the Consolidated Revenue Fund of *Canada*, the same shall be appropriated by the Parliament of *Canada* for the Public Service.

Transfer of Stocks, &c.

107. All Stocks, Cash, Banker's Balances, and Securities for Money belonging to each Province at the Time of the Union, except as in this Act mentioned, shall be the Property of *Canada*, and shall be taken in Reduction of the Amount of the respective Debts of the Provinces at the Union.

Transfer of Property in Schedule.

108. The Public Works and Property of each Province, enumerated in the Third Schedule to this Act, shall be the Property of *Canada*.

Property in Lands, Mines, &c.

109. All Lands, Mines, Minerals, and Royalties belonging to the several Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* at the Union, and all Sums then due or payable for such Lands, Mines, Minerals, or Royalties, shall belong to the several Provinces of *Ontario*, *Quebec*, *Nova Scotia*, and *New Brunswick* in which the same are situate or arise, subject to any Trusts existing in respect thereof, and to any Interest other than that of the Province in the same.

Assets connected with Provincial Debts.

110. All Assets connected with such Portions of the Public Debt of each Province as are assumed by that Province shall belong to that Province.

Canada to be liable to Provincial Debts.

111. *Canada* shall be liable for the Debts and Liabilities of each Province existing at the Union.

112. *Ontario*

Debts of Ontario and Quebec.

112. *Ontario* and *Quebec* conjointly shall be liable to *Canada* for the Amount (if any) by which the Debt of the Province of *Canada* exceeds at the Union Sixty-two million five hundred thousand Dollars, and shall be charged with Interest at the Rate of Five *per Centum per Annum* thereon.

Assets of Ontario and Quebec.

113. The Assets enumerated in the Fourth Schedule to this Act belonging at the Union to the Province of *Canada* shall be the Property of *Ontario* and *Quebec* conjointly.

Debt of Nova Scotia.

114. *Nova Scotia* shall be liable to *Canada* for the Amount (if any) by which its Public Debt exceeds at the Union Eight million Dollars, and shall be charged with Interest at the Rate of Five *per Centum per Annum* thereon.

Debt of New Brunswick.

115. *New Brunswick* shall be liable to *Canada* for the Amount (if any) by which its Public Debt exceeds at the Union Seven million Dollars, and shall be charged with Interest at the Rate of Five *per Centum per Annum* thereon.

Payment of Interest to Nova Scotia and New Brunswick.

116. In case the Public Debts of *Nova Scotia* and *New Brunswick* do not at the Union amount to Eight million and Seven million Dollars respectively, they shall respectively receive by half-yearly Payments in advance from the Government of *Canada* Interest at Five *per Centum per Annum* on the Difference between the actual Amounts of their respective Debts and such stipulated Amounts.

Provincial Public Property.

117. The several Provinces shall retain all their respective Public Property not otherwise disposed of in this Act, subject to the Right of *Canada* to assume any Lands or Public Property required for Fortifications or for the Defence of the Country.

Grants to Provinces.

118. The following Sums shall be paid yearly by *Canada* to the several Provinces for the Support of their Governments and Legislatures:

	Dollars.
Ontario - - - - - -	Eighty thousand.
Quebec - - - - - -	Seventy thousand.
Nova Scotia - - - - -	Sixty thousand.
New Brunswick - - - -	Fifty thousand.
	Two hundred and sixty thousand;

and an annual Grant in aid of each Province shall be made, equal to Eighty Cents *per* Head of the Population as ascertained by the Census

Census of One thousand eight hundred and sixty-one, and in the Case of *Nova Scotia* and *New Brunswick*, by each subsequent Decennial Census until the Population of each of those Two Provinces amounts to Four hundred thousand Souls, at which Rate such Grant shall thereafter remain. Such Grants shall be in full Settlement of all future Demands on *Canada*, and shall be paid half-yearly in advance to each Province; but the Government of *Canada* shall deduct from such Grants, as against any Province, all Sums chargeable as Interest on the Public Debt of that Province in excess of the several Amounts stipulated in this Act.

Further Grant to New Brunswick.

119. *New Brunswick* shall receive by half-yearly Payments in advance from *Canada* for the Period of Ten Years from the Union an additional Allowance of Sixty-three thousand Dollars *per Annum;* but as long as the Public Debt of that Province remains under Seven million Dollars, a Deduction equal to the Interest at Five *per Centum per Annum* on such Deficiency shall be made from that Allowance of Sixty-three thousand Dollars.

Form of Payments.

120. All Payments to be made under this Act, or in discharge of Liabilities created under any Act of the Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* respectively, and assumed by *Canada*, shall, until the Parliament of *Canada* otherwise directs, be made in such Form and Manner as may from Time to Time be ordered by the Governor General in Council.

Canadian Manufactures, &c.

121. All Articles of the Growth, Produce, or Manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces.

Continuance of Customs and Excise Laws.

122. The Customs and Excise Laws of each Province shall, subject to the Provisions of this Act, continue in force until altered by the Parliament of *Canada*.

Exportation and Importation as between Two Provinces.

123. Where Customs Duties are, at the Union, leviable on any Goods, Wares, or Merchandises in any Two Provinces, those Goods, Wares, and Merchandises may, from and after the Union, be imported from one of those Provinces into the other of them on Proof of Payment of the Customs Duty leviable thereon in the Province of Exportation, and on Payment of such further Amount (if any) of Customs Duty as is leviable thereon in the Province of Importation.

Lumber Dues in New Brunswick.

124. Nothing in this Act shall affect the Right of *New Brunswick* to levy the Lumber Dues provided in Chapter Fifteen of Title

Three of the Revised Statutes of *New Brunswick*, or in any Act amending that Act before or after the Union, and not increasing the Amount of such Dues; but the Lumber of any of the Provinces other than *New Brunswick* shall not be subject to such Dues.

Exemption of Public Lands, &c.

125. No Lands or Property belonging to *Canada* or any Province shall be liable to Taxation.

Provincial Consolidated Revenue Fund.

126. Such Portions of the Duties and Revenues over which the respective Legislatures of *Canada*, *Nova Scotia*, and *New Brunswick* had before the Union Power of Appropriation as are by this Act reserved to the respective Governments or Legislatures of the Provinces, and all Duties and Revenues raised by them in accordance with the special Powers conferred upon them by this Act, shall in each Province form One Consolidated Revenue Fund to be appropriated for the Public Service of the Province.

IX.—Miscellaneous Provisions.

General.

As to Legislative Councillors of Provinces becoming Senators.

127. If any Person being at the passing of this Act a Member of the Legislative Council of *Canada*, *Nova Scotia*, or *New Brunswick*, to whom a Place in the Senate is offered, does not within Thirty Days thereafter, by Writing under his Hand addressed to the Governor General of the Province of *Canada* or to the Lieutenant Governor of *Nova Scotia* or *New Brunswick* (as the Case may be), accept the same, he shall be deemed to have declined the same; and any Person who, being at the passing of this Act a Member of the Legislative Council of *Nova Scotia* or *New Brunswick*, accepts a Place in the Senate, shall thereby vacate his Seat in such Legislative Council.

Oath of Allegiance, &c.

128. Every Member of the Senate or House of Commons of *Canada* shall before taking his Seat therein take and subscribe before the Governor General or some Person authorized by him, and every Member of a Legislative Council or Legislative Assembly of any Province shall before taking his Seat therein take and subscribe before the Lieutenant Governor of the Province or some Person authorized by him, the Oath of Allegiance contained in the Fifth Schedule to this Act; and every Member of the Senate of *Canada* and every Member of the Legislative Council of *Quebec* shall also, before taking his Seat therein, take and subscribe before the Governor General, or some Person authorized by him, the Declaration of Qualification contained in the same Schedule.

129. Except

Continuance of existing Laws, Courts, Officers, &c.

129. Except as otherwise provided by this Act, all Laws in force in *Canada*, *Nova Scotia*, or *New Brunswick* at the Union, and all Courts of Civil and Criminal Jurisdiction, and all legal Commissions, Powers, and Authorities, and all Officers, Judicial, Administrative, and Ministerial, existing therein at the Union, shall continue in *Ontario*, *Quebec*, *Nova Scotia*, and *New Brunswick* respectively, as if the Union had not been made; subject nevertheless (except with respect to such as are enacted by or exist under Acts of the Parliament of *Great Britain* or of the Parliament of the United Kingdom of *Great Britain* and *Ireland*,) to be repealed, abolished, or altered by the Parliament of *Canada*, or by the Legislature of the respective Province, according to the Authority of the Parliament or of that Legislature under this Act.

Transfer of Officers to Canada.

130. Until the Parliament of *Canada* otherwise provides, all Officers of the several Provinces having Duties to discharge in relation to Matters other than those coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces shall be Officers of *Canada*, and shall continue to discharge the Duties of their respective Offices under the same Liabilities, Responsibilities, and Penalties as if the Union had not been made.

Appointment of new Officers.

131. Until the Parliament of *Canada* otherwise provides, the Governor General in Council may from Time to Time appoint such Officers as the Governor General in Council deems necessary or proper for the effectual Execution of this Act.

Treaty Obligations.

132. The Parliament and Government of *Canada* shall have all Powers necessary or proper for performing the Obligations of *Canada* or of any Province thereof, as Part of the *British* Empire, towards Foreign Countries, arising under Treaties between the Empire and such Foreign Countries.

Use of English and French Languages.

133. Either the *English* or the *French* Language may be used by any Person in the Debates of the Houses of the Parliament of *Canada* and of the Houses of the Legislature of *Quebec*; and both those Languages shall be used in the respective Records and Journals of those Houses; and either of those Languages may be used by any Person or in any Pleading or Process in or issuing from any Court of *Canada* established under this Act, and in or from all or any of the Courts of *Quebec*.

The Acts of the Parliament of *Canada* and of the Legislature of *Quebec* shall be printed and published in both those Languages.

Ontario and Quebec.

Appointment of Executive Officers for Ontario and Quebec.

134. Until the Legislature of *Ontario* or of *Quebec* otherwise provides, the Lieutenant Governors of *Ontario* and *Quebec* may each appoint under the Great Seal of the Province the following Officers, to hold Office during Pleasure, that is to say,—the Attorney General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, and in the Case of *Quebec* the Solicitor General, and may, by Order of the Lieutenant Governor in Council, from Time to Time prescribe the Duties of those Officers, and of the several Departments over which they shall preside or to which they shall belong, and of the Officers and Clerks thereof, and may also appoint other and additional Officers to hold Office during Pleasure, and may from Time to Time prescribe the Duties of those Officers, and of the several Departments over which they shall preside or to which they shall belong, and of the Officers and Clerks thereof.

Powers, Duties, &c. of Executive Officers.

135. Until the Legislature of *Ontario* or *Quebec* otherwise provides, all Rights, Powers, Duties, Functions, Responsibilities, or Authorities at the passing of this Act vested in or imposed on the Attorney General, Solicitor General, Secretary and Registrar of the Province of *Canada*, Minister of Finance, Commissioner of Crown Lands, Commissioner of Public Works, and Minister of Agriculture and Receiver General, by any Law, Statute, or Ordinance of *Upper Canada*, *Lower Canada*, or *Canada*, and not repugnant to this Act, shall be vested in or imposed on any Officer to be appointed by the Lieutenant Governor for the Discharge of the same or any of them; and the Commissioner of Agriculture and Public Works shall perform the Duties and Functions of the Office of Minister of Agriculture at the passing of this Act imposed by the Law of the Province of *Canada*, as well as those of the Commissioner of Public Works.

Great Seals.

136. Until altered by the Lieutenant Governor in Council, the Great Seals of *Ontario* and *Quebec* respectively shall be the same, or of the same Design, as those used in the Provinces of *Upper Canada* and *Lower Canada* respectively before their Union as the Province of *Canada*.

Construction of temporary Acts.

137. The Words "and from thence to the End of the then "next ensuing Session of the Legislature," or Words to the same Effect, used in any temporary Act of the Province of *Canada* not expired before the Union, shall be construed to extend and apply to the next Session of the Parliament of *Canada* if the Subject Matter

of

of the Act is within the Powers of the same as defined by this Act, or to the next Sessions of the Legislatures of *Ontario* and *Quebec* respectively if the Subject Matter of the Act is within the Powers of the same as defined by this Act.

As to Errors in Names.

138. From and after the Union the Use of the Words "*Upper Canada*" instead of "*Ontario*," or "*Lower Canada*" instead of "*Quebec*," in any Deed, Writ, Process, Pleading, Document, Matter, or Thing, shall not invalidate the same.

As to Issue of Proclamations before Union, to commence after Union.

139. Any Proclamation under the Great Seal of the Province of *Canada* issued before the Union to take effect at a Time which is subsequent to the Union, whether relating to that Province, or to *Upper Canada*, or to *Lower Canada*, and the several Matters and Things therein proclaimed, shall be and continue of like Force and Effect as if the Union had not been made.

As to Issue of Proclamations after Union.

140. Any Proclamation which is authorized by any Act of the Legislature of the Province of *Canada* to be issued under the Great Seal of the Province of *Canada*, whether relating to that Province, or to *Upper Canada*, or to *Lower Canada*, and which is not issued before the Union, may be issued by the Lieutenant Governor of *Ontario* or of *Quebec*, as its Subject Matter requires, under the Great Seal thereof; and from and after the Issue of such Proclamation the same and the several Matters and Things therein proclaimed shall be and continue of the like Force and Effect in *Ontario* or *Quebec* as if the Union had not been made.

Penitentiary.

141. The Penitentiary of the Province of *Canada* shall, until the Parliament of *Canada* otherwise provides, be and continue the Penitentiary of *Ontario* and of *Quebec*.

Arbitration respecting Debts, &c.

142. The Division and Adjustment of the Debts, Credits, Liabilities, Properties, and Assets of *Upper Canada* and *Lower Canada* shall be referred to the Arbitrament of Three Arbitrators, One chosen by the Government of *Ontario*, One by the Government of *Quebec*, and One by the Government of *Canada*; and the Selection of the Arbitrators shall not be made until the Parliament of *Canada* and the Legislatures of *Ontario* and *Quebec* have met; and the Arbitrator chosen by the Government of *Canada* shall not be a Resident either in *Ontario* or in *Quebec*.

Division of Records.

143. The Governor General in Council may from Time to Time order that such and so many of the Records, Books, and Documents of the Province of *Canada* as he thinks fit shall be appropriated

and delivered either to *Ontario* or to *Quebec*, and the same shall thenceforth be the Property of that Province; and any Copy thereof or Extract therefrom, duly certified by the Officer having charge of the Original thereof, shall be admitted as Evidence.

Constitution of Townships in Quebec.

144. The Lieutenant Governor of *Quebec* may from Time to Time, by Proclamation under the Great Seal of the Province, to take effect from a Day to be appointed therein, constitute Townships in those Parts of the Province of *Quebec* in which Townships are not then already constituted, and fix the Metes and Bounds thereof.

X.—Intercolonial Railway.

Duty of Government and Parliament of Canada to make Railway herein described.

145. Inasmuch as the Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* have joined in a Declaration that the Construction of the Intercolonial Railway is essential to the Consolidation of the Union of *British North America*, and to the Assent thereto of *Nova Scotia* and *New Brunswick*, and have consequently agreed that Provision should be made for its immediate Construction by the Government of *Canada*: Therefore, in order to give effect to that Agreement, it shall be the Duty of the Government and Parliament of *Canada* to provide for the Commencement, within Six Months after the Union, of a Railway connecting the River *St. Lawrence* with the City of *Halifax* in *Nova Scotia*, and for the Construction thereof without Intermission, and the Completion thereof with all practicable Speed.

XI.—Admission of other Colonies.

Power to admit Newfoundland, &c. into the Union.

146. It shall be lawful for the Queen, by and with the Advice of Her Majesty's Most Honourable Privy Council, on Addresses from the Houses of the Parliament of *Canada*, and from the Houses of the respective Legislatures of the Colonies or Provinces of *Newfoundland*, *Prince Edward Island*, and *British Columbia*, to admit those Colonies or Provinces, or any of them, into the Union, and on Address from the Houses of the Parliament of *Canada* to admit *Rupert's Land* and the North-western Territory, or either of them, into the Union, on such Terms and Conditions in each Case as are in the Addresses expressed and as the Queen thinks fit to approve, subject to the Provisions of this Act; and the Provisions of any Order in Council in that Behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of *Great Britain* and *Ireland*.

As to Representation of Newfoundland

147. In case of the Admission of *Newfoundland* and *Prince Edward Island*, or either of them, each shall be entitled to a Represen-

Representation in the Senate of *Canada* of Four Members, and (notwithstanding anything in this Act) in case of the Admission of *Newfoundland* the normal Number of Senators shall be Seventy-six and their maximum Number shall be Eighty-two; but *Prince Edward Island* when admitted shall be deemed to be comprised in the third of the Three Divisions into which *Canada* is, in relation to the Constitution of the Senate, divided by this Act, and accordingly, after the Admission of *Prince Edward Island*, whether *Newfoundland* is admitted or not, the Representation of *Nova Scotia* and *New Brunswick* in the Senate shall, as Vacancies occur, be reduced from Twelve to Ten Members respectively, and the Representation of each of those Provinces shall not be increased at any Time beyond Ten, except under the Provisions of this Act for the Appointment of Three or Six additional Senators under the Direction of the Queen.

and Prince Edward Island in Senate.

SCHEDULES.

The FIRST SCHEDULE.

Electoral Districts of Ontario.

A.

EXISTING ELECTORAL DIVISIONS.

COUNTIES.

1. Prescott.
2. Glengarry.
3. Stormont.
4. Dundas.
5. Russell.
6. Carleton.
7. Prince Edward.
8. Halton.
9. Essex.

RIDINGS OF COUNTIES.

10. North Riding of Lanark.
11. South Riding of Lanark.
12. North Riding of Leeds and North Riding of Grenville.
13. South Riding of Leeds.
14. South Riding of Grenville.
15. East Riding of Northumberland.
16. West Riding of Northumberland (excepting therefrom the Township of South Monaghan).
17. East Riding of Durham.
18. West Riding of Durham.
19. North Riding of Ontario.
20. South Riding of Ontario.
21. East Riding of York.
22. West Riding of York.
23. North Riding of York.
24. North Riding of Wentworth.
25. South Riding of Wentworth.
26. East Riding of Elgin.
27. West Riding of Elgin.
28. North Riding of Waterloo.
29. South Riding of Waterloo.
30. North Riding of Brant.
31. South Riding of Brant.
32. North Riding of Oxford.
33. South Riding of Oxford.
34. East Riding of Middlesex.

CITIES,

CITIES, PARTS OF CITIES, AND TOWNS.

35. West Toronto.
36. East Toronto.
37. Hamilton.
38. Ottawa.
39. Kingston.
40. London.
41. Town of Brockville, with the Township of Elizabethtown thereto attached.
42. Town of Niagara, with the Township of Niagara thereto attached.
43. Town of Cornwall, with the Township of Cornwall thereto attached.

B.

NEW ELECTORAL DIVISIONS.

44. The Provisional Judicial District of ALGOMA.

The County of BRUCE, divided into Two Ridings, to be called respectively the North and South Ridings: —

45. The North Riding of Bruce to consist of the Townships of Bury, Lindsay, Eastnor, Albemarle, Amabel, Arran, Bruce, Elderslie, and Langeen, and the Village of Southampton.
46. The South Riding of Bruce to consist of the Townships of Kincardine (including the Village of Kincardine), Greenock, Brant, Huron, Kinross, Culross, and Carrick.

The County of HURON, divided into Two Ridings, to be called respectively the North and South Ridings: —

47. The North Riding to consist of the Townships of Ashfield, Wawanosh, Turnberry, Howick, Morris, Grey, Colborne, Hullett, including Village of Clinton, and McKillop.
48. The South Riding to consist of the Town of Goderich and the Townships of Goderich, Tuckersmith, Stanley, Hay, Usborne, and Stephen.

The County of MIDDLESEX, divided into Ridings, to be called respectively the North, West, and East Ridings: —

49. The North Riding to consist of the Townships of McGillivray and Biddulph (taken from the County of Huron), and Williams East, Williams West, Adelaide, and Lobo.
50. The West Riding to consist of the Townships of Delaware, Carradoc, Metcalfe, Mosa, and Ekfrid, and the Village of Strathroy.

[The East Riding to consist of the Townships now embraced therein, and be bounded as it is at present.]

51. The County of LAMBTON to consist of the Townships of Bosanquet, Warwick, Plympton, Sarnia, Moore, Enniskillen, and Brooke, and the Town of Sarnia.
52. The County of KENT to consist of the Townships of Chatham, Dover, East Tilbury, Romney, Raleigh, and Harwich, and the Town of Chatham.
53. The County of BOTHWELL to consist of the Townships of Sombra, Dawn, and Euphemia (taken from the County of Lambton), and the Townships of Zone, Camden with the Gore thereof, Orford, and Howard (taken from the County of Kent).

The County of GREY, divided into Two Ridings, to be called respectively the South and North Ridings:—

54. The South Riding to consist of the Townships of Bentinck, Glenelg, Artemesia, Osprey, Normanby, Egremont, Proton, and Melancthon.
55. The North Riding to consist of the Townships of Collingwood, Euphrasia, Holland, Saint-Vincent, Sydenham, Sullivan, Derby, and Keppel, Sarawak and Brooke, and the Town of Owen Sound.

The County of PERTH, divided into Two Ridings, to be called respectively the South and North Ridings:—

56. The North Riding to consist of the Townships of Wallace, Elma, Logan, Ellice, Mornington, and North Easthope, and the Town of Stratford.
57. The South Riding to consist of the Townships of Blanchard, Downie, South Easthope, Fullarton, Hibbert, and the Villages of Mitchell and Ste. Marys.

The County of WELLINGTON, divided into Three Ridings, to be called respectively North, South, and Centre Ridings:—

58. The North Riding to consist of the Townships of Amaranth, Arthur, Luther, Minto, Maryborough, Peel, and the Village of Mount Forest.
59. The Centre Riding to consist of the Townships of Garafraxa, Erin, Eramosa, Nichol, and Pilkington, and the Villages of Fergus and Elora.
60. The South Riding to consist of the Town of Guelph, and the Townships of Guelph and Puslinch.

The County of NORFOLK, divided into Two Ridings, to be called respectively the South and North Ridings:—

61. The South Riding to consist of the Townships of Charlotteville, Houghton, Walsingham, and Woodhouse, and with the Gore thereof.
62. The North Riding to consist of the Townships of Middleton, Townsend, and Windham, and the Town of Simcoe.
63. The County of HALDIMAND to consist of the Townships of Oneida, Seneca, Caguya North, Caguya South, Raynham, Walpole, and Dunn.

64. The

64. The County of MONCK to consist of the Townships of Canborough and Moulton, and Sherbrooke, and the Village of Dunville (taken from the County of Haldimand), the Townships of Caistor and Gainsborough (taken from the County of Lincoln), and the Townships of Pelham and Wainfleet (taken from the County of Welland).
65. The County of LINCOLN to consist of the Townships of Clinton, Grantham, Grimsby, and Louth, and the Town of St. Catherines.
66. The County of WELLAND to consist of the Townships of Bertie, Crowland, Humberstone, Stamford, Thorold, and Willoughby, and the Villages of Chippewa, Clifton, Fort Erie, Thorold, and Welland.
67. The County of PEEL to consist of the Townships of Chinguacousy, Toronto, and the Gore of Toronto, and the Villages of Brampton and Streetsville.
68. The County of CARDWELL to consist of the Townships of Albion and Caledon (taken from the County of Peel), and the Townships of Adjala and Mono (taken from the County of Simcoe).

The County of SIMCOE, divided into Two Ridings, to be called respectively the South and the North Ridings:—

69. The South Riding to consist of the Townships of West Gwillimbury, Tecumseth, Innisfil, Essa, Tosorontio, Mulmur, and the Village of Bradford.
70. The North Riding to consist of the Townships of Nottawasaga, Sunnidale, Vespra, Flos, Oro, Medonte, Orillia and Matchedash, Tiny and Tay, Balaklava and Robinson, and the Towns of Barrie and Collingwood.

The County of VICTORIA, divided into Two Ridings, to be called respectively the South and North Ridings:—

71. The South Riding to consist of the Townships of Ops, Mariposa, Emily, Verulam, and the Town of Lindsay.
72. The North Riding to consist of the Townships of Anson, Bexley, Carden, Dalton, Digby, Eldon, Fenelon, Hindon, Laxton, Lutterworth, Macaulay and Draper, Sommerville, and Morrison, Muskoka, Monck and Watt (taken from the County of Simcoe), and any other surveyed Townships lying to the North of the said North Riding.

The County of PETERBOROUGH, divided into Two Ridings, to be called respectively the West and East Ridings:—

73. The West Riding to consist of the Townships of South Monaghan (taken from the County of Northumberland), North Monaghan, Smith, and Ennismore, and the Town of Peterborough.
74. The East Riding to consist of the Townships of Asphodel, Belmont and Methuen, Douro, Dummer, Galway, Harvey, Minden, Stanhope and Dysart, Otonabee, and Snowden, and the Village of Ashburnham, and any other surveyed Townships lying to the North of the said East Riding.

The

The County of HASTINGS, divided into Three Ridings, to be called respectively the West, East, and North Ridings:—

75. The West Riding to consist of the Town of Belleville, the Township of Sydney, and the Village of Trenton.

76. The East Riding to consist of the Townships of Thurlow, Tyendinaga, and Hungerford.

77. The North Riding to consist of the Townships of Rawdon, Huntingdon, Madoc, Elzevir, Tudor, Marmora, and Lake, and the Village of Stirling, and any other surveyed Townships lying to the North of the said North Riding.

78. The County of LENNOX to consist of the Townships of Richmond, Adolphustown, North Fredericksburg, South Fredericksburg, Ernest Town, and Amherst Island, and the Village of Napanee.

79. The County of ADDINGTON to consist of the Townships of Camden, Portland, Sheffield, Hinchinbroke, Kaladar, Kennebec, Olden, Oso, Anglesea, Barrie, Clarendon, Palmerston, Effingham, Abinger, Miller, Canonto, Denbigh, Loughborough, and Bedford.

80. The County of FRONTENAC to consist of the Townships of Kingston, Wolfe Island, Pittsburg and Howe Island, and Storrington.

The County of RENFREW, divided into Two Ridings, to be called respectively the South and North Ridings:—

81. The South Riding to consist of the Townships of McNab, Bagot, Blithfield, Brougham, Horton, Admaston, Grattan, Matawatchan, Griffith, Lyndoch, Raglan, Radcliffe, Brudenell, Sebastopol, and the Villages of Arnprior and Renfrew.

82. The North Riding to consist of the Townships of Ross, Bromley, Westmeath, Stafford, Pembroke, Wilberforce, Alice, Petawawa, Buchanan, South Algona, North Algona, Fraser, McKay, Wylie, Rolph, Head, Maria, Clara, Haggerty, Sherwood, Burns, and Richards, and any other surveyed Townships lying North-westerly of the said North Riding.

Every Town and incorporated Village existing at the Union, not specially mentioned in this Schedule, is to be taken as Part of the County or Riding within which it is locally situate.

The

The SECOND SCHEDULE.

Electoral Districts of Quebec specially fixed.

COUNTIES OF—

Pontiac.	Missisquoi.	Compton.
Ottawa.	Brome.	Wolfe and Richmond.
Argenteuil.	Shefford.	Megantic.
Huntingdon.	Stanstead.	

TOWN of Sherbrooke.

The THIRD SCHEDULE.

Provincial Public Works and Property to be the Property of Canada.

1. Canals, with Lands and Water Power connected therewith.
2. Public Harbours.
3. Lighthouses and Piers, and Sable Island.
4. Steamboats, Dredges, and public Vessels.
5. Rivers and Lake Improvements.
6. Railways and Railway Stocks, Mortgages, and other Debts due by Railway Companies.
7. Military Roads.
8. Custom Houses, Post Offices, and all other Public Buildings, except such as the Government of Canada appropriate for the Use of the Provincial Legislatures and Governments.
9. Property transferred by the Imperial Government, and known as Ordnance Property.
10. Armouries, Drill Sheds, Military Clothing, and Munitions of War, and Lands set apart for general Public Purposes.

The FOURTH SCHEDULE.

Assets to be the Property of Ontario and Quebec conjointly.

Upper Canada Building Fund.
Lunatic Asylums.
Normal School.
Court Houses in Aylmer, Montreal, Kamouraska, } Lower Canada.
Law Society, Upper Canada.
Montreal Turnpike Trust.
University Permanent Fund.
Royal Institution.
Consolidated Municipal Loan Fund, Upper Canada.
Consolidated Municipal Loan Fund, Lower Canada.
Agricultural Society, Upper Canada.
Lower Canada Legislative Grant.
Quebec Fire Loan.
Tamisconata Advance Account.
Quebec Turnpike Trust.
Education—East.
Building and Jury Fund, Lower Canada.
Municipalities Fund.
Lower Canada Superior Education Income Fund.

The FIFTH SCHEDULE.

Oath of Allegiance.

I *A.B.* do swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria.

Note.—The Name of the King or Queen of the United Kingdom of Great Britain and Ireland for the Time being is to be substituted from Time to Time, with proper Terms of Reference thereto.

Declaration of Qualification.

I *A.B.* do declare and testify, That I am by Law duly qualified to be appointed a Member of the Senate of Canada [*or as the Case may be*], and that I am legally or equitably seised as of Freehold for my own Use and Benefit of Lands or Tenements held in Free and Common Socage [*or* seised or possessed for my own Use and Benefit of Lands or Tenements held in Franc-alleu or in Roture (*as the Case may be*),] in the Province of Nova Scotia [*or as the Case may be*] of the Value of Four thousand Dollars over and above all Rents, Dues, Debts, Mortgages, Charges, and Incumbrances due or payable out of or charged on or affecting the same, and that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements or any Part thereof for the Purpose of enabling me to become a Member of the Senate of Canada [*or as the Case may be*], and that my Real and Personal Property are together worth Four thousand Dollars over and above my Debts and Liabilities.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. IV.

An Act to apply the Sum of Three hundred and sixty-nine thousand one hundred and eighteen Pounds Five Shillings and Sixpence out of the Consolidated Fund to the Service of the Years ending the Thirty-first Day of *March* One thousand eight hundred and sixty-six and the Thirty-first Day of *March* One thousand eight hundred and sixty-seven. [29th *March* 1867.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

There shall be applied for the Service of the Years ending the 31st Day of March 1866 and 1867 the Sum of 369,118*l.* 5*s.* 6*d.* out of the Consolidated Fund.

1. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Years ending the Thirty-first Day of *March* One thousand eight hundred and sixty-six and the Thirty-first Day of *March* One thousand eight hundred and sixty-seven, the Sum of Three hundred and sixty-nine thousand one hundred and eighteen Pounds Five Shillings and Sixpence out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 369,118*l.* 5*s.* 6*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

2. It shall be lawful for the said Commissioners of Her Majesty's Treasury, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Three hundred and sixty-nine thousand one hundred and eighteen Pounds Five Shillings and Sixpence; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

3. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if particularly repeated and re-enacted in this Act.

Interest on Exchequer Bills.

4. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

5. It

Bank of England may advance 369,118*l.* 5*s.* 6*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

5. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Three hundred and sixty-nine thousand one hundred and eighteen Pounds Five Shillings and Sixpence, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

6. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Exchequer Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Monies raised by Bills to be applied to the Services voted by the Commons.

7. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply, from Time to Time, all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act, to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

8. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at any Period not later than the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, for

Consolidated Fund (£369,118 5*s.* 6*d.*)

for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. V.

An Act to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise. [29th *March* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after 5th April 1867 in England, and 24th May 1867 in Scotland, Assessed Taxes on Dogs to cease.

1. The Duties of Assessed Taxes payable in *Great Britain* under and by virtue of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety, for or in respect of Dogs, shall cease to be payable for or in respect of Dogs kept in *England* after the Fifth Day of *April* One thousand eight hundred and sixty-seven, or kept in *Scotland* after the Twenty-fourth Day of *May* One thousand eight hundred and sixty-seven; and all the Provisions, Rules, and Regulations, and Exemptions contained in the said Act, or in any other Act relating to the said Duties, are hereby repealed, save so far as the same respectively relate to Dogs kept in *England* before or on the said Fifth Day of *April* One thousand eight hundred and sixty-seven, or kept in *Scotland* before or on the said Twenty-fourth Day of *May* One thousand eight hundred and sixty-seven.

2. The

Duty on Dogs.

Assessed Tax on Dogs kept within the Year ending 5th April 1867 in England, and 24th May 1867 in Scotland, reduced to Seven Shillings.

2. The Duty of Assessed Taxes for or in respect of each Dog kept in *England* within the Year ending on the said Fifth Day of *April* One thousand eight hundred and sixty-seven, or kept in *Scotland* within the Year ending on the said Twenty-fourth Day of *May* One thousand eight hundred and sixty-seven, is hereby reduced to Seven Shillings in lieu of Twelve Shillings now payable; and no Person shall be chargeable with Duty to any greater Amount than Twenty-three Pounds Two Shillings for any Number of Hounds, or Five Pounds Five Shillings for any Number of Greyhounds, kept by him in such Years respectively.

After 5th April 1867 the Duties of Excise herein named to be paid on Dogs.

3. In lieu of the said Duties of Assessed Taxes, there shall be granted and charged in respect of Dogs kept in *England* after the said Fifth Day of *April* One thousand eight hundred and sixty-seven, or kept in *Scotland* after the said Twenty-fourth Day of *May* One thousand eight hundred and sixty-seven, the following Duties, to be paid annually upon the taking out of the Licences herein-after mentioned:

For and in respect of every Dog, of whatever Description or Denomination, for which a Licence to keep the same shall be taken out under this Act, the annual Duty of Five Shillings, to be paid by the Person who shall keep such Dog.

Duties and Licences to be under the Management of the Commissioners of Inland Revenue.

4. The said Duties and Licences shall be Excise Duties and Licences, and shall be under the Management of the Commissioners of Inland Revenue; and all the Powers, Provisions, Clauses, Regulations, and Directions contained in any Act relating to Excise Duties or Licences, or to Penalties under Excise Acts, and now or hereafter in force, shall respectively be of full Force and Effect with respect to the Duties hereby granted, and the Licences relating thereto, and the Penalties hereby imposed, so far as the same are applicable, and shall be observed, applied, and enforced for and in the collecting, regulating, and recovering of the Duties hereby granted, and the Licences relating thereto, and the Penalties hereby imposed, and otherwise in relation to the said Duties, Licences, and Penalties, so far as the same shall be consistent with and not superseded by the express Provisions of this Act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said last-mentioned Duties, Licences, and Penalties respectively: Provided that nothing herein contained shall authorize the granting of a Licence under this Act upon Payment of a less Sum than the Duty for a whole Year.

Licences to be in such Form as the Commis-

5. The Licences to be taken out under this Act shall be in such Form and shall be granted by such Officers of Inland Revenue as the Commissioners of Inland Revenue shall direct; and every Licence shall

shall commence on the Day on which the same shall be granted, and shall terminate on the Thirty-first Day of *December* following. sioners shall direct.

6. Every Officer who shall be authorized to grant Licences under this Act shall keep a Register of all such Licences granted by him, specifying the Name and Place of Abode of every Person licensed, and the Number of Dogs which each Person shall be licensed to keep; and any Justice of the Peace, or Constable or other Officer of the Peace, may at any convenient Time inspect the Register of Licences granted for the current or preceding Year. Register of Licences to be kept.

7. The Commissioners of Inland Revenue shall cause to be placed upon or near to the Door of every Church in *Great Britain* a printed or written Notice stating from whom Licences to keep Dogs can be obtained by Persons residing in the Parish or Place in which such Church is situated; and every such Notice shall be kept affixed upon or near to the Door of such Church for such Time as the said Commissioners shall direct: Provided that no Proceeding of any Kind, nor any Act done by any Person in pursuance of this Act, shall be deemed to be invalid or unlawful by reason of such Notice not having been placed or kept affixed as aforesaid. Commissioners to cause Notices to be fixed on Church Doors.

8. If any Person shall keep a Dog without having in force a Licence granted under this Act authorizing him so to do, or shall keep a greater Number of Dogs than he shall be licensed to keep, he shall for every such Offence forfeit the Sum of Five Pounds; and every Person in whose Custody, Charge, or Possession, or in whose House or Premises, any Dog shall be found or seen, shall be deemed to be the Person who shall keep such Dog, unless the contrary be proved, and the Owner or Master of Hounds shall be deemed to be the Person keeping the same. Penalty for keeping a Dog without a Licence; who shall be deemed the Keeper of a Dog.

9. If any Person who shall have taken out a Licence under this Act shall not produce and deliver such Licence to be examined and read by any Officer of Excise or Police Constable within a reasonable Time after such Officer shall request the Production of the same, he shall forfeit the Sum of Five Pounds. Penalty for not producing Licence.

10. The Duties imposed by this Act shall not be payable in respect of any Dog under the Age of Six Months. No Dogs under Six Months old to pay Duty.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. VI.

An Act for the Establishment in the Metropolis of Asylums for the Sick, Insane, and other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for other Purposes relating to Poor Relief in the Metropolis. [29th *March* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Metropolitan Poor Act, 1867. Short Title.

2. In this Act—

The Term "the Poor Law Acts" means the Act of the Session of the Fourth and Fifth Years of King *William* the Fourth (Chapter Seventy-six) "for the Amendment and better Administration Interpretation of Terms.

" ministration of the Laws relating to the Poor in *England* " and *Wales*," and the Acts extending or amending the same: The Term " the Poor Law Amendment Act of 1844 " means the Act of the Session of the Seventh and Eighth Years of Her Majesty's Reign (Chapter One hundred and one) " for the " further Amendment of the Laws relating to the Poor in " *England*."

Words in this Act have the same Meaning as in the Poor Law Acts.

Limitation of Act to the Metropolis.

3. This Act extends only to Unions and Parishes not in Union which are wholly or for the greater Part thereof respectively included in the Metropolis as defined by The Metropolis Management Act, 1855; and in this Act the Term " the Metropolis " means the Metropolis as so defined.

Orders of Poor Law Board.

4. Any Order of the Poor Law Board under this Act shall not be deemed a General Order within the Operation of the Poor Law Acts, although addressed to more than One Union or Parish.

District Asylums.

Asylums to be provided.

5. Asylums to be supported and managed according to the Provisions of this Act may be provided under this Act for Reception and Relief of the Sick, Insane, or Infirm, or other Class or Classes of the Poor chargeable in Unions and Parishes in the Metropolis (and in this Act the Term " Asylum " means an Asylum provided under this Act).

Formation of Districts.

6. In order to the Provision of Asylums, the Poor Law Board may from Time to Time by Order combine into Districts, Unions or Parishes, or Unions and Parishes, in the Metropolis, as they think fit, and may from Time to Time alter any such District by Addition, Sub-division, Separation of Part or otherwise (and in this Act the Term " the District " means, in relation to each Asylum, the District for which that Asylum is for the Time being provided).

Number of Asylums.

7. For each District there shall be an Asylum or Asylums, as the Poor Law Board from Time to Time by Order direct.

Managers of Asylums.

8. For the Asylum or Asylums of each District there shall be a Body of Managers constituted as in this Act provided, which Managers and their Successors are hereby incorporated by the Name of The Managers of the Asylum District, and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power, subject and according to the Orders of the Poor Law Board, to take, hold, and

and dispose of Lands and other Property for Purposes of the Asylum District (and in this Act the Term "the Managers" means, in relation to each Asylum District, the Managers thereof for the Time being).

Constitution of Managers.

9. The Managers shall (subject to the Provisions of this Act) be partly elective and partly nominated.

Election of Managers.

10. Elective Managers shall be from Time to Time elected by the Guardians of each of the several Unions and Parishes forming the District from among themselves, or from among Ratepayers qualified to be Guardians therein, or partly from one and partly from the other.

Nomination of Managers.

11. Nominated Managers shall be from Time to Time nominated by the Poor Law Board from among Justices of the Peace for any County or Place resident in the District, or from among Ratepayers resident in the District and assessed to the Poor Rate therein on an annual rateable Value of not less than Forty Pounds, or partly from one and partly from the other.

Number, Qualifications, &c. of Managers.

12. The Poor Law Board shall from Time to Time by Order prescribe the total Number of the Managers, and the Proportion of the Elective and Nominated Managers (but so that the prescribed Number of the Nominated Managers do not ever exceed One Third of the prescribed Number of the Elective Managers), the Number of Elective Managers to be elected for each Union or Parish in the District, the Qualifications of the Managers, their Tenure of Office, the Mode and Times of Election, and the Quorum for their Meetings.

Validity of Acts of Managers notwithstanding Vacancies.

13. Any Act or Proceeding of the Managers shall not be invalid by reason only of any Vacancy in their Body, or by reason only of any Failure to elect or nominate or any Defect or Irregularity in or about the Election or Nomination of any Person to be Manager, or by reason only of the Want of Qualification or Disqualification of any Person acting as Manager; and the Managers shall be deemed lawfully constituted, and shall act, notwithstanding any such Vacancy, Failure, Defect, Irregularity, Want of Qualification, or Disqualification.

Prohibition against Managers being concerned in Contracts.

14. The Provisions of the Poor Law Acts imposing Penalties on Guardians and their Officers if concerned for their own Profit in providing or in any Contract for the supplying of anything for the Use of Workhouses or otherwise for the Support or Maintenance

tenance of the Poor, and all Remedies for Recovery of such Penalties, shall extend and apply to the Managers and their Officers.

Building for Asylum.

15. The Poor Law Board may from Time to Time by Order direct the Managers to purchase or hire, or to build, and (in either Case) to fit up a Building or Buildings for the Asylum, of such Nature and Size, and according to such Plan, and in such Manner, as the Poor Law Board think fit, and the Managers shall carry such Directions into execution.

As to the Purchase or Hiring of Lands. &c. by Managers.

16. The Managers shall have for the Purposes of the Asylum the like Powers as are for the Time being vested in Guardians of Unions or Parishes in the Metropolis relative to the Purchase or Hiring of Lands or Buildings; but the Consent of any Ratepayers or Owners of Property in a Union or Parish shall not be necessary with respect to any Sale, Lease, or other Disposition of any Workhouse, Building, or Land by Guardians or Overseers to the Managers.

Power to borrow Money for Purposes herein named.

17. The Managers may borrow Money for purchasing Lands or Buildings, and for building, fitting up, and furnishing Buildings erected or hired for the Asylum, according to the Provisions of the Poor Law Acts under which Guardians are for the Time being empowered to borrow Money, and may charge the Poor Rates of the Unions and Parishes forming the District with the Money so borrowed, and Interest, subject and according to the following Provisions:

(1.) The Amount borrowed shall not exceed One Third of the aggregate annual Expenditure on the Relief of the Poor within the whole District (exclusive of Reimbursements) for the Period of Three Years ending on the Twenty-fifth Day of *March* next preceding the borrowing of the Money:

(2.) The Amount borrowed shall be charged on the Poor Rates of the several Unions and Parishes forming the District in the Proportions in which they contribute to the Maintenance of the Asylum:

(3.) The Amount borrowed shall be paid off, with Interest, by equal annual Instalments not exceeding Twenty.

Adaptation of existing Workhouses for Asylums.

18. The Poor Law Board may by Order direct that any Building for the Time being in use as a Workhouse be, with such Alterations as the Poor Law Board think fit, used for the Asylum, and thenceforth that Building shall be for the common Use of the District accordingly; and an annual Sum in the nature of Rent or other Compensation of such Amount as the Poor Law Board from Time to Time direct shall be paid to the Guardians of the Union or Parish to which such Building belongs, as long as the same continues to be so used.

19. If

Reimbursement to Managers of Expenditure.

19. If in any such Case the Managers expend any Money in the Improvement or Enlargement of the Building, or the providing of substantial Fittings therein, and afterwards relinquish the Use thereof, the Poor Law Board may, if they think fit, make an Adjustment in respect of that Expenditure between the Owners of the Building and the Managers, and direct such Amount as they think equitable to be reimbursed to the Managers by the Owners of the Building, to be paid at once or by Instalments as the Poor Law Board direct.

Furniture, &c. for Asylum.

20. The Managers shall from Time to Time provide for the Asylum necessary Fixtures, Furniture, and Conveniences, and such as the Poor Law Board from Time to Time by Order direct.

Mode of Admission into Asylum.

21. The Mode of Admission of Persons into the Asylum shall be such as the Poor Law Board from Time to Time by Order direct.

Powers and Duties of Managers in respect of Inmates.

22. The Managers shall have the like Powers as Guardians for the Relief, Maintenance, and Management of the Inmates of the Asylum, and shall from Time to Time provide such Medicines, Appliances, and Requisites for the Medical and Surgical Care and Treatment of the Inmates, and cause the same to be furnished and used according to such Rules, as the Poor Law Board from Time to Time by Order direct.

Application of Parts of 7 & 8 Vict. c. 101. as herein named.

23. The following Provisions of the Poor Law Amendment Act of 1844 shall extend to the Asylum as if it were an Asylum under that Act or a Workhouse, and as if the Managers were a District Board under that Act, that is to say,—

So much of Section Forty-three as relates to Rules of the Poor Law Board for Government of the Asylum or its Inmates, and to religious Assistance and Instruction:

Sections Fifty, Fifty-four, Fifty-seven, and Fifty-nine.

Chargeability, &c. of Inmates.

24. With reference to Chargeability, Burial, and other Incidents, the Asylum shall in relation to each Inmate thereof be deemed to be in the Union or Parish from which such Inmate is sent; but Births and Deaths in the Asylum shall be registered by the Registrar in whose District the Asylum is situate.

Appointment, &c. of paid Officers.

25. The Managers shall have the like Powers as Guardians for the Appointment, Control, and Payment of paid Officers of the Asylum, and the Grant of Superannuation Allowances to them.

The Duties, Number, and Salaries of the paid Officers, and the Securities to be given by them, shall be such as the Poor Law Board may from Time to Time approve or by Order direct.

Enforcement of Orders of Managers.

26. Legal and reasonable Orders of the Managers shall be obeyed, and Obedience thereto shall be enforced, in like Manner and by and under like Remedies and Penalties as legal and reasonable Orders of Guardians.

Committees of Managers.

27. The Managers may from Time to Time, subject and according to such Regulations as the Poor Law Board from Time to Time by Order prescribe, appoint Committees of Members of their Body, and delegate to them any of the Powers of the Managers.

Orders of Poor Law Board as to Managers.

28. The Managers shall, in the Exercise and Discharge of all their Powers and Duties, be subject to Orders of the Poor Law Board in like Manner as Guardians are under the Poor Law Acts.

Use of Asylums as Medical Schools.

29. Where the Asylum is provided for Reception and Relief of the Sick or Insane it may be used for Purposes of Medical Instruction, and for the training of Nurses, in such Cases and Manner and subject to such Regulations as the Poor Law Board from Time to Time by Order direct.

Representative of Commissioners in Lunacy.

30. Where the Asylum is provided for Reception and Relief of the Insane the Commissioners in Lunacy may, if they think fit, depute one of their Body or appoint from Time to Time a special Commissioner, and the Person so deputed or appointed shall be entitled to attend Meetings of the Managers and to take part in their Proceedings, but not to vote; and every such Asylum shall be considered as a Workhouse within the Meaning of the Lunacy Acts as defined by the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and eleven.

Expenses of providing Asylum and Salaries.

31. Expenses incurred by the Managers in or about the purchasing, hiring, building, repairing, and fitting up of Buildings for the Asylum, and any Sum in the Nature of Rent or other Compensation, payable by the Managers to Guardians, in respect of the Use for the Asylum of a Building previously used as a Workhouse, and Expenses incurred by the Managers in or about the providing of Fixtures, Furniture, Conveniences, Medicines, medical and surgical Appliances, and other Necessaries required for keeping the Asylum in proper Order for daily Use, and the Salaries and Maintenance of the Officers thereof, shall be defrayed by Contributions from the Unions and Parishes forming the District.

Charges for Maintenance, &c.

32. Expenses incurred by the Managers in or about the Food, Clothing, Maintenance, Care, Treatment, and Relief, or for the Burials, of Inmates of the Asylum shall be separately charged to the respective Unions or Parishes from which the Inmates of the Asylum are sent.

33. The

Metropolitan Poor.

Audit of Accounts.

33. The Poor Law Board shall appoint some Person to be the Auditor of the District, who shall audit the Accounts of the Managers and of their Officers; and those Accounts shall accordingly be prepared for and submitted to the Auditor at such Times and in such Manner as the Accounts of Guardians of Unions are by the Poor Law Acts required to be prepared and submitted.

Powers of Auditor.

34. The Auditor shall have the like Powers of allowing and disallowing Accounts, and of making Surcharges therein, as Auditors appointed under the Poor Law Acts have for the Time being; and Sums disallowed, reduced, or surcharged in the Accounts submitted to the Auditor shall be recoverable in like Manner as under the Poor Law Acts; and there shall be the like Appeal to the Court of Queen's Bench or to the Poor Law Board against an Allowance, Disallowance, or Surcharge made by the Auditor, as in case of the Audit of Union or Parish Accounts.

Circulation of Abstract of Accounts.

35. Within One Month after each Audit the Managers shall deliver, by Post or otherwise, to each Board of Guardians in the District a printed Abstract (in a Form from Time to Time prescribed by the Poor Law Board) of the Accounts as audited.

Remuneration of Auditor.

36. The Remuneration of the Auditor shall from Time to Time be fixed by the Poor Law Board by Order, and, with his Expenses, shall be paid as the Salaries and Expenses of Auditors appointed under the Poor Law Acts are for the Time being payable.

Removal and new Appointment of Auditor.

37. The Poor Law Board may remove an Auditor as they think fit, and on a Vacancy shall appoint a qualified Person to fill the Vacancy; and the Powers of providing temporarily for a Vacancy, and of appointing a Substitute or a Deputy, given by the Poor Law Acts in relation to Auditors thereunder, shall apply in relation to an Auditor under this Act.

Medical Out-door Relief.

Building for Dispensary.

38. The Poor Law Board may from Time to Time, by Order, direct the Guardians of a Union or Parish in the Metropolis to provide a Dispensary or Dispensaries for such Union or Parish, and to purchase or hire, or to build, and (in either Case) to fit up and furnish a Building or Buildings for that Purpose, of such Nature and Size, and according to such Plan, and in such Manner as the Poor Law Board think fit, or to set apart, adapt, fit up and furnish for that Purpose such Part of the Workhouse of the Union or Parish, according to such Plans, and in such Manner, as the Poor Law

Law Board think fit, and the Guardians shall act accordingly; and, where the Poor Law Board by Order so direct, the Guardians may borrow the Amount requisite in that Behalf, in like Manner and subject to the like Conditions as in the Case of the building of a Workhouse.

Dispensary Committee.

39. There shall be a Committee of Management for the Dispensary or Dispensaries in each Union or Parish, to be called the Dispensary Committee for the Union or Parish (and in this Act the Term "the Dispensary Committee" means, in relation to each Union Parish, the Dispensary Committee for the same for the Time being).

Election of Committee.

40. The Dispensary Committee shall be elected by the Guardians of the Union or Parish from among themselves, or from among Ratepayers of the Union or Parish assessed to the Poor Rate on an annual rateable Value of not less than Forty Pounds, or partly from one and partly from the other.

Number, &c. of Committee.

41. The Poor Law Board shall from Time to Time prescribe with respect to each Committee the Number and Tenure of Office of the Members, the Mode and Times of Election, and the Quorum for their Meetings.

Places for seeing Sick Poor, &c.

42. The Guardians of each Union or Parish providing a Dispensary shall also provide, according to the Directions of the Poor Law Board, proper Places where the Medical Officers of the Union or Parish may see such of the Sick Poor as attend there for Advice, and where Meetings of the Dispensary Committee may be held.

Appointment of Dispensers, &c.

43. The Dispensary Committee shall from Time to Time appoint and shall at all Times keep appointed proper Persons to be Dispensers of Medicine at the Dispensaries for the Union or Parish, and may from Time to Time appoint such other Officers and such Servants for the Purposes of those Dispensaries as they think fit.

The Duties, Qualifications, Number, and Salaries of the Dispensers, Officers, and Servants shall be such as the Poor Law Board may from Time to Time approve or by Order direct.

Provision and dispensing of Medicines, &c.

44. The Guardians of each Union or Parish providing a Dispensary shall from Time to Time, on the Requisition of the Dispensary Committee, provide proper Medicines and Appliances and Requisites for the Care and Surgical Treatment of the Sick Poor of the Union or Parish relieved out of the Workhouse, and the same shall be dispensed and furnished to such of the Poor entitled to Relief as require the same, on the Prescription or written Direction of the District Medical Officer, subject to such Regulations as the Poor Law Board from Time to Time by Order direct.

45. The

Metropolitan Poor.

Appointment of District Medical Officers.

45. The District Medical Officers for a Union or Parish shall be from Time to Time appointed by the Dispensary Committee, subject to the Rules and Orders of the Poor Law Board respecting Appointment and Removal of Officers under the Poor Law Acts; but the District Medical Officers in Office at the Time of the Dispensary Committee entering on their Duties shall continue in Office as if this Act had not been passed, subject nevertheless to such Modifications of Arrangements respecting their Duties and Remuneration, made with them before the passing of this Act, as the Poor Law Board think fit.

Modification of Districts, Salaries, and Contracts with District Medical Officers.

46. For giving Effect to the Provisions of this Act relating to Medical Relief out of the Workhouse, the Poor Law Board may from Time to Time vary as they think fit Medical Districts, Salaries, and Contracts with District Medical Officers, existing at the passing of this Act or at any Time thereafter.

District and Separate Schools.

Certain Provisions as to Charge of Expenses of Buildings, &c. as in 7 & 8 Vict. c. 101. s. 47. 13 & 14 Vict. c. 11. repealed.

47. So much of Section Forty-seven of the Poor Law Amendment Act of 1844 and of the Act of the Session of the Thirteenth and Fourteenth Years of Her Majesty's Reign (Chapter Eleven), "to make better Provision for the Contributions of Unions and "Parishes in School Districts to the Common Funds of the respec- "tive Districts," as provides for Payment by Unions as therein mentioned of Expenses incurred by any District Board in the Purchase or Hire of any Land or Buildings for a School, or in erecting, repairing, adding to, or fitting up any Building, and the Salaries of the Officers and Servants of the Establishment, and other common Charges of the School, shall, from the Twenty-ninth Day of *September* next, as far as those Provisions relate to a District in the Metropolis, be repealed; but this Repeal shall not affect the Mode of Payment of any such Expenses or Salaries incurred or accrued due up to that Day inclusive, or the Payment of any Mortgage or other Debt incurred by any District Board in respect thereof, or the Validity or Effect of any Mortgage or Security given by any District Board for any such Debt; and all such Expenses and Salaries, and every such Debt, shall be paid and remain charged as if this Act had not been passed.

Charges for Buildings and Salaries of Officers of District Schools.

48. Expenses incurred by a District Board constituted under the Poor Law Amendment Act of 1844 for the Maintenance of a District School for a District in the Metropolis in the Purchase or Hire of Land or Buildings for the School, and the Salaries of Officers, and all other common Charges of such School, shall, from the said Twenty-ninth Day of *September* next, be defrayed by Con-

tributions from the Unions and Parishes forming the District, as in this Act provided.

Addition of nominated Members to District Board.

49. The Poor Law Board may from Time to Time nominate to be Members of such a District Board such Persons as they think fit from among Justices of the Peace for any County or Place resident in the District of the School, or from among Ratepayers resident in that District, and assessed to the Poor Rate therein on an annual rateable Value of not less than Forty Pounds, or partly from one and partly from the other, but so that the Number of Members so nominated do not ever exceed One Third of the full Number of the elected Members of the Board.

Workhouses for Classes of Poor.

Reception in Workhouses of Poor belonging to other Unions or Parishes.

50. Where, in the Opinion of the Poor Law Board, the Workhouse of a Union or Parish in the Metropolis is adapted only for the Reception of poor Persons of a particular Class or particular Classes, but is capable of accommodating poor Persons of that Class or those Classes from any other Union or Parish within the Metropolis, the Poor Law Board may by Order direct the Guardians of the Union or Parish to which the Workhouse belongs to receive, lodge, and maintain therein poor Persons of that Class or those Classes, or any of them, and the Guardians shall receive, lodge, and maintain such poor Persons accordingly on Terms to be agreed on, with the Approval of the Poor Law Board, by the respective Boards of Guardians of the Unions or Parishes concerned, or, in default of such Agreement, to be prescribed by the Poor Law Board by Order; and in every such Case the following Provisions shall have effect:

(1.) Every poor Person so received into the Workhouse shall, while therein, be treated in all respects in like Manner, and be subject to the same or the like Regulations and Liabilities, as the other poor Persons therein, and shall be chargeable in the first instance to the Union or to the Parish in the Workhouse whereof he is received:

(2.) The abiding of any such poor Person in such Workhouse shall in all other respects be attended with the same legal Consequences as if the Workhouse were situate within the Union or Parish from which he is sent:

(3.) Every Guardian of the Union or Parish from which such poor Person is sent may at all reasonable Times enter the Workhouse and inspect any Part thereof.

Lands.

Provisions of 5&6 W. 4.

51. The Provisions of the Act of the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth (Chapter Sixty-

Sixty-nine) "to facilitate the Conveyance of Workhouses and other "Property of Parishes, and of Incorporations or Unions of Parishes, "in *England* and *Wales*," relative to the Acquisition of Sites or Buildings for Workhouses, and of all Acts extending or amending the same, shall apply to Lands and Buildings required to be purchased, hired, or otherwise acquired for any of the Purposes of this Act, and shall have Effect as if Managers under this Act were Guardians, and as if an Asylum or Dispensary were a Workhouse. c. 69. hereinnamed to apply.

52. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860 (in this Act referred to as the Lands Clauses Acts) are hereby incorporated with this Act, and for the Purposes of this Act the Term the Promoters of the Undertaking used in those Acts shall mean Managers or Guardians desirous of purchasing Lands for Purposes of this Act; and in those Acts and this Act the Term Lands shall include any Estate, Term, Easement, Right, or Interest in, over, or affecting Lands. Certain Parts of 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

53. So much of the Lands Clauses Acts as relates to the Purchase of Lands otherwise than by Agreement shall not be put in force except for the Purchase of Lands for the Purpose of enlarging a Workhouse, Hospital, or School existing at the passing of this Act, and then not without a previous Order of the Poor Law Board directing such Purchase. Provisions as to compulsory Purchase of Land.

54. Before the Poor Law Board make any such Order the Managers or Guardians applying to them for the same shall publish once at least in each of Four consecutive Weeks in a daily Morning Newspaper published in the Metropolis an Advertisement stating the Object for which the Lands are proposed to be taken, and the Quantity of Lands required, and the Place where a Plan of the Lands is open for Inspection at reasonable Hours, and shall Four Weeks before the Application to the Poor Law Board serve Notices on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands, stating the Particulars thereof, and that the Managers or Guardians are willing to treat for Purchase thereof. Notice of Application as to Lands.

Contributions of Unions and Parishes.

55. Sums to be contributed under this Act by Unions and Parishes shall be assessed on and contributed by them respectively in proportion to the annual rateable Value of the Property therein comprised, to be determined according to the Valuation Lists, or, where there are none, according to the latest Poor Rate for the Time being for the Union or Parish, or on such other Basis as the Poor Law Board from Time to Time direct. Basis of Contributions.

56. The

Metropolitan Poor.

Calls for Contributions by Managers and District Boards.

56. The Managers of an Asylum under this Act, and the District Board constituted under the Poor Law Amendment Act of 1844 for the Maintenance of a District School, shall from Time to Time call on the Guardians of the Unions and Parishes forming the District for such Contributions as the Managers or District Board consider requisite for the Purposes of the Asylum or School.

Notice of Call for Contribution.

57. Notice in Writing of the Amount of every such Contribution, purporting to be signed by the Clerk or other Officer of the Managers or District Board (in a Form from Time to Time prescribed by the Poor Law Board by Order), shall Fourteen Days at least before such Contribution becomes due be delivered to the Clerk or acting Clerk of the Guardians of each Union and Parish liable to the Contribution, either by Post in a Letter addressed to him at the Office of the Union or Parish or otherwise.

Remedies for Recovery of Contributions.

58. If the Contribution is not duly paid the Managers or District Board shall (in addition to any other Remedy which any Person has for the Time being against Guardians) have the like Remedy for Recovery of the Contribution, or of so much thereof as is not paid, from the Overseers or other Officers authorized to levy Poor Rates in the several Parishes (whether comprised in a Union or not) in the District, as Guardians have for the Time being for Recovery from Overseers of Contributions of Parishes; and if the Overseers of any Parish in a Union pay any Money to the Managers or District Board on account of such Contribution they shall be entitled to Credit for such Payment in the Accounts of the Union with their Parish.

Medical In-door Relief.

Determination or Variation of Contracts with Workhouse Medical Officers.

59. In order to facilitate Provision for the Appointment, where requisite, of Resident Workhouse Medical Officers, and for better Classification and Management of the Sick Poor in a separate Hospital or Building, or in an Infirmary kept distinct from the rest of the Workhouse, the Poor Law Board may, by Order, determine, or from Time to Time vary as they think fit, any Contract with any Medical or other Workhouse Officer existing at the passing of this Act, and direct the Guardians to pay to a Medical or other Officer affected thereby such Compensation by way of increased Salary, or of an Annuity, or of a gross Sum, or otherwise, as the Poor Law Board think fit.

Houseless Poor.

Repeal of Reimbursement by Metropolitan Board.

60. Sections One and Two of The Metropolitan Houseless Poor Act, 1864, shall from and after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-seven be repealed, except with respect to any Claims under that Act then outstanding, which shall be provided for as if that Act continued wholly in force.

Metropolitan

Metropolitan Common Poor Fund.

Establishment of Metropolitan Common Poor Fund.

61. There shall be a Fund, called The Metropolitan Common Poor Fund, raised according to the Provisions of this Act by Contributions from the several Unions, Parishes, and Places in the Metropolis (in this Act referred to as the Common Poor Fund).

Appointment of Receiver of Common Fund.

62. There shall be a Receiver of the Common Poor Fund (in this Act referred to as the Receiver), who shall be from Time to Time appointed by and shall be removeable by the Poor Law Board, and shall receive such Salary and give such Security (if any) as the Poor Law Board direct.

Receiver to open Account at Bank of England.

63. The Receiver shall open an Account with the Governor and Company of the Bank of *England*, intituled The Account of the Receiver of the Metropolitan Common Poor Fund for the Time being.

Assessment of Contributions to Common Fund.

64. The Poor Law Board shall from Time to Time assess on the several Unions and Parishes in the Metropolis the Amounts of their respective Contributions to the Common Poor Fund, in proportion to the annual rateable Value of the Property therein comprised, to be determined according to the Valuation Lists, or, where there are none, according to the latest Poor Rate for the Time being for the Union or Parish, or on such other Basis as the Poor Law Board from Time to Time direct.

Collection of Common Fund.

65. The Poor Law Board shall from Time to Time issue to the Guardians of each Union or Parish a Precept under the Seal of the Board requiring them to pay the Amount of their Contribution therein specified, in the Manner and within the Time therein prescribed, and the Guardians shall accordingly raise the Amount of their Contribution out of the Poor Rates of the Union or Parish, and shall pay the same into the Bank of *England* to the Credit of the Account of the Receiver; and no such Precept shall be liable to be removed into any Court of Law by Certiorari or otherwise, nor shall any Order of the Guardians, or any Rate made after the passing of this Act, be liable to question in any such Court on the Ground of its having been made wholly or partly in furtherance of any such Precept: Provided always, that the Guardians shall be entitled to have Credit in part Payment of their Contribution for the Amount which may be repayable to them out of the Common Poor Fund, under the Precept of the Poor Law Board, as herein-after mentioned, in respect of Expenditure during the preceding Half Year.

Collection of Contributions by Local Authority

66. In order to obtain Payment of the Amount of the Contribution to the Common Poor Fund payable in respect of any Place

where no Poor Rate.

Place where there is no Poor Rate, the Poor Law Board shall from Time to Time issue to the Masters of the Bench, Treasurer, Governors, or other Body or Persons having the chief Control or Authority there, a Precept requiring them or him to pay the Amount of Contribution therein specified, in the Manner and within the Time therein prescribed, and they or he shall pay the same accordingly.

Levying of Rate by Local Authority.

67. In every such Place the Masters of the Bench, Treasurer, Governors, or other Body or Persons, may levy on the several Persons occupying rateable Property therein the Amount of Contribution so paid by them or him by means of a Rate in the Nature of a Poor Rate, and for that Purpose may employ and remunerate Collectors, and shall have the like Powers as are for the Time being vested in Overseers for the Purposes of the making, assessing, levying, and collecting of Poor Rate.

Remedies for Recovery of Contributions.

68. If any Contribution to the Common Poor Fund required by the Poor Law Board to be paid by any Guardians, Masters of the Bench, Treasurer, Governors, or other Body or Persons, is not duly paid, the Receiver shall (in addition to any other Remedy which any Person has for the Time being against Guardians) have the like Remedy for Recovery from them or him, in the Receiver's own Name, of the Contribution, or of so much thereof as is not paid, as Guardians have for the Time being for Recovery from Overseers of Contributions of Parishes; and for that Purpose the Precept of the Poor Law Board requiring the Contribution shall be conclusive Evidence of the Amount thereof and of the Liability thereto of the Party sued.

Application of Common Fund.

69. Expenses incurred for the following Purposes after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-seven shall be repaid out of the Common Poor Fund, that is to say,—

(1.) For the Maintenance of Lunatics in Asylums, registered Hospitals, and licensed Houses, and of Insane Poor in Asylums under this Act, except such Expenses as are chargeable on the County Rate:

(2.) For the Maintenance of Patients in any Asylum specially provided under this Act for Patients suffering from Fever or Smallpox:

(3.) For all Medicine and medical and surgical Appliances supplied to the Poor in receipt of Relief by Guardians under this Act or any of the Poor Law Acts:

(4.) For

(4.) For the Salaries of all Officers employed by the Guardians in and about the Relief of the Poor by the Managers of District Schools under "The Poor Law Amendment Act, 1844," and by the Managers of Asylums under this Act, and also the Salaries of the Dispensers and other Persons employed in Dispensaries under this Act, provided the Appointments of the Officers have been sanctioned by the Poor Law Board: 7 & 8 Vict. c. 101.

(5.) For Compensation to any Medical Officer of a Workhouse affected by the Determination or Variation by the Poor Law Board of a Contract respecting medical Relief in the Workhouse, or for Compensation to any Officer of a Union or Parish who may be deprived of his Office by reason of the Operation of this Act:

(6.) For Fees for Registration of Births and Deaths:

(7.) For Fees for and other Expenses of Vaccination:

(8.) For Maintenance of Pauper Children in District, Separate, Certificated, and Licensed Schools:

(9.) For Relief of destitute Persons certified by the Auditor, and Provision of temporary Wards or other Places of Reception approved by the Poor Law Board, under the Metropolitan Houseless Poor Acts of 1864 and 1865. 27 & 28 Vict. c. 116. 28 & 29 Vict. c. 34.

Mode of Repayment out of Common Fund.

70. After each half-yearly Audit the Auditors shall, within such Time and in such Manner as the Poor Law Board from Time to Time direct, certify to the Poor Law Board the Amount actually expended by each Union or Parish in respect of Expenses which are to be repaid out of the Common Poor Fund; and the Poor Law Board shall, by Precept under the Seal of the Board, direct the Receiver to repay out of that Fund to the Guardians of the Unions and Parishes the several Sums so expended, and the Amount repaid shall be applied by them in aid of the Fund chargeable with the Relief of the Poor.

Receiver's Salary, &c.

71. The Salaries of the Receiver and his Assistants, and all Expenses incurred by him in the Execution of this Act, shall be paid out of the Common Poor Fund.

Drawing on Receiver's Account.

72. The Account of the Receiver at the Bank of *England* shall be drawn on in such Manner and according to such Regulations as the Poor Law Board from Time to Time by Order direct.

Poor Relief under Local Acts.

Constitution of Guardians for Parishes under Local Acts.

73. The Relief of the Poor of every Union or Parish in the Metropolis governed by a Local Act shall, from and after a Day to be

be stated in an Order of the Poor Law Board in relation to each Union or Parish, be, notwithstanding anything in such Local Act, administered by a Board of Guardians elected according to the Poor Law Acts, and in conformity with an Order of the Poor Law Board.

Powers of new Board of Guardians.

74. The Guardians so constituted under this Act, notwithstanding anything in any Local Act, shall have the same Powers and Authorities, and shall be subject to the same Orders, Regulations, and Restrictions, as Guardians elected under the Poor Law Acts.

Transfer of Property to new Guardians.

75. The Workhouses, Goods, Effects, and Real and Personal Property belonging to a Union or Parish governed by a Local Act, and held or used for Purposes of the Relief of the Poor or of the Business of Guardians, shall by virtue of this Act be transferred to and vested in and belong to the Guardians of the Union or Parish when constituted under this Act, and shall be held and used for Purposes of such Relief and Business, and upon such other Trusts and for such other Purposes as would have been applicable to the same if this Act had not passed; and those Guardians shall pay and discharge the Debts and Liabilities lawfully incurred in and about such Relief, or otherwise due from the previous Guardians of the Union or Parish, as the same ought to have been paid and discharged by the previous Guardians if this Act had not been passed; provided that the Poor Law Board may, if they think fit, by Order, extend the Time of Payment of any such Debt for a Period not exceeding Six Months from the Date of the Order.

Continuance of existing Officers.

76. Officers and Persons appointed or acting under any such Local Act for any Purpose of the Relief of the Poor, or otherwise in the Service of the Guardians, and Superintendent Registrars of Births, Deaths, and Marriages, and Registrars of Births and Deaths, and Registrars of Marriages, shall be entitled to continue in Office after the Constitution of the new Board of Guardians under this Act to the same Extent as if this Act had not been passed; and their Service before the Constitution of that Board shall be reckoned in the Computation of any Superannuation Allowance to which they may become entitled: Provided that in case any Officer of a Union or Parish shall be deprived of his Office by reason of the Operation of this Act, the Poor Law Board may award to him such Compensation for the Loss of his Office and its Emoluments, either by way of gross Sum or by way of Annuity, as to them shall seem reasonable.

Saving for rating Powers of

77. Nothing in this Act shall deprive any Body constituted under a Local Act of any Power thereby vested in them of making and

and levying Poor Rates; and in relation to Guardians constituted under this Act every such Body shall be deemed Overseers within the Poor Law Acts as far as regards Liability to Payment of Contributions required by Guardians for Purposes of the Relief of the Poor in the Union or Parish. existing Bodies.

78. So much of Section Sixty-four of the Poor Law Amendment Act of 1844 as prevents the Union of Parishes governed by Local Acts, without Consent of the Guardians, and Section Sixty-five of that Act, are hereby repealed as far as they relate to the Metropolis. Part of Sects. 64, and 65 of 7 & 8 Vict. c. 101. repealed.

Boards of Guardians.

79. The Poor Law Board may from Time to Time nominate to be Members of a Board of Guardians of a Union or Parish in the Metropolis (whether elected under the Poor Law Acts or constituted under this Act) such Persons as they think fit from among Justices of the Peace for any County or Place resident in the Union or Parish, or from among Ratepayers resident therein and assessed to the Poor Rate therein on an annual rateable Value of not less than Forty Pounds, or partly from one and partly from the other, but so that the Number of Guardians so nominated do not, together with the *ex-officio* Guardians, ever exceed One Third of the full Number of the elected Guardians. Power to Poor Law Board to nominate additional Guardians.

Officers.

80. In case at any Time any Managers of an Asylum or Dispensary Committee under this Act, or any Board of Guardians of a Union or Parish in the Metropolis, fail, for Fourteen Days after Receipt of a Requisition of the Poor Law Board in this Behalf, to appoint (either originally or on a Vacancy) any Officer whom they are by Law required or authorized to appoint, then at any Time after the Expiration of that Period of Fourteen Days the Poor Law Board may, if they think fit, by Order, appoint a fit Person to be such Officer; and the Person so appointed shall have and perform all the same Powers, Rights, Privileges, and Duties as if the Appointment had been duly made by the Managers, Committee, or Guardians, as the Case may be. Appointment of Officers on Failure of Managers, &c.

Borrowing.

81. Where the Guardians of a Union or Parish in the Metropolis require to borrow Money for the Purposes and under the Authority of the Poor Law Acts, the Principal Sum borrowed may be any Sum not exceeding One Half of the aggregate Amount of the Rates raised for the Relief of the Poor in that Union or Parish within Three Years ending on the Twenty-fifth Day of *March* next preceding Extension of Borrowing Powers.

ceding the borrowing of the Money, anything in the said Acts to the contrary notwithstanding.

Provision for Orders of Removal and of Maintenance.

82. Nothing in this Act contained shall prevent any Board of Guardians or Churchwardens and Overseers from obtaining any Order of Removal or any Order of Maintenance in respect of any Pauper by reason of the Costs and Expenses of such Pauper being repaid out of the Common Fund.

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ANNO TRICESIMO

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vice of the Year ending 31st March 1868 the Sum of 7,924,000*l.* out of the Consolidated Fund.

the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, the Sum of Seven million nine hundred and twenty-four thousand Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury for the Time being are hereby authorized and empowered to issue and apply the same accordingly.

Bank of England may advance 7,924,000*l.* on the Credit of this Act.

2. The Governor and Company of the Bank of *England* may make Advances to Her Majesty, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to an Amount not exceeding in the whole the Sum of Seven million nine hundred and twenty-four thousand Pounds, and such Advances shall be made on the Application of the Commissioners of Her Majesty's Treasury, from Time to Time, in such Sums as may be required for the Public Service, and shall be placed to the Credit of the Account of Her Majesty's Exchequer at the Bank of *England*, and be available to satisfy the Orders for Credits granted or to be granted on the said Account, under the Provisions of the "Exchequer and Audit Departments Act, 1866," in respect of any Services voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Interest on Advances.

3. The Advances made by the Bank of *England*, from Time to Time, under the Authority of this Act, shall bear Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem*, and the Principal and Interest of all such Advances shall be paid out of the growing Produce of the Consolidated Fund at any Period not later than the next succeeding Quarter to that in which the said Advances shall have been made.

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CAP. VIII.

An Act for facilitating in certain Cases the Proceedings of the Commissioners appointed to make Inquiry respecting Trades Unions and other Associations of Employers or Workmen.

[5th *April* 1867.]

WHEREAS a Commission has been issued by Her Majesty to inquire into and report on the Organization and Rules of Trades Unions and other Associations, whether of Workmen or Employers, and to inquire into and report on the Effect produced by such Trades Unions and Associations on the Workmen and Employers respectively, and on the Relations between Workmen and Employers, and on the Trade and Industry of the Country, with Power to investigate any recent Acts of Intimidation, Outrage, or Wrong alleged to have been promoted, encouraged, or connived at by such Trades Unions or other Associations, and also to suggest any Improvements to be made in the Law with respect to the Matters aforesaid, or with respect to the Relations between Workmen and their Employers for the mutual Benefit of both Parties: And whereas a Case of Outrage within the Scope of the said Commission of Inquiry has been committed at *Sheffield*, and

Representations have been made on behalf of the Workmen as well as Employers of Labour in that Town stating that it would be for the Advantage and to the Satisfaction of both Workmen and Employers that a searching Inquiry on Oath should be made into the Circumstances of such Outrage and the alleged Complicity of the Trades Unions therein: And whereas the Powers for the effectual conducting of such Inquiry cannot be conferred without the Authority of Parliament:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Trades Union Commission Act, 1867."

Limits of Inquiry under this Act.

2. The Commissioners or such One or more of them as they may with the Concurrence of the Chairman for that Purpose appoint, or such Number of Persons not exceeding Three, and qualified in manner herein-after mentioned, as One of Her Majesty's Principal Secretaries of State may, upon the Application of the Chairman of the said Commission, appoint, may, in pursuance of this Act, inquire into any Acts of Intimidation, Outrage, or Wrong alleged to have been promoted, encouraged, or connived at by Trades Unions or Associations, whether of Workmen or Employers in the Town of *Sheffield* or its immediate Neighbourhood, and as to the Causes of such Acts and the Complicity therein of such Trades Unions or Associations, subject to the following Restrictions:

(1.) That no Inquiry in exercise of the Powers of this Act shall be held elsewhere than at *Sheffield* or its immediate Neighbourhood:

(2.) That no Inquiry in exercise of the Powers of this Act shall be made into any Case of Intimidation, Outrage, or Wrong which has occurred more than Ten Years before the passing of this Act, without the written Sanction of One of Her Majesty's Principal Secretaries of State, to be given at the written Request of the Chairman of the Commission:

Provided that no Person shall be appointed by the said Secretary of State in pursuance of this Section to conduct such Inquiry under this Act unless he is a Member of the said Commission, or a Barrister of not less than Ten Years Standing.

Persons appointed to conduct

3. The Persons appointed to conduct an Inquiry under this Act shall have all such Powers, Rights, and Privileges as are vested in any

any of Her Majesty's Superior Courts, or in any Judge thereof, on the Occasion of any Action or Suit in respect of the following Matters: Inquiries to have Powers, &c. herein named.

(1.) The enforcing the Attendance of Witnesses and examining them on Oath, Affirmation, or otherwise, as they or he may think fit:

(2.) The compelling the Production of Documents:

(3.) The punishing Persons guilty of Contempt:

And a Summons under the Hand or Hands of One or more of the Persons so appointed may be substituted for and shall be equivalent to any Form of Process capable of being issued at Law in any Action or Suit for enforcing the Attendance of Witnesses or compelling the Production of Documents.

Any Warrant of Committal to Prison issued for the Purpose of enforcing the Powers conferred by this Section shall be under the Hand of One or more of the Persons so appointed as aforesaid, and shall specify the Prison to which the Offender is to be committed, and shall not authorize the Imprisonment of any Offender for a Period exceeding Three Calendar Months.

Every Inquiry under this Act shall be conducted in public, and due Notice shall be given of the Time and Place of holding the same, but with Power to the Person or Persons conducting the same to adjourn any Meeting as Occasion may require.

4. Any Person examined as a Witness in an Inquiry under this Act, who in the Opinion of the Person or Persons conducting the Inquiry makes a full and true Disclosure touching all the Matters in respect of which he is examined, shall receive a Certificate under the Hand of such Person or Persons, stating that the Witness has upon his Examination made a full and true Disclosure as aforesaid; and if any Civil or Criminal Proceeding be at any Time thereafter instituted against such Witness in respect of any Matter touching which he has been so examined, the Tribunal before which such Proceeding is instituted shall, on the Production and Proof of the Certificate, stay the Proceeding, and may in its Discretion award to such Witness any Costs he may have been put to by the Institution of the Proceeding: Provided that no Evidence taken under this Act shall be admissible against any Person in any Civil or Criminal Proceeding whatever, except in the Case of a Witness who may be accused of having given false Evidence before any Person conducting an Inquiry under this Act. Indemnity to Witnesses.

5. Every

Penalty for false swearing, &c.

5. Every Person who, upon Examination upon Oath or Affirmation in any Inquiry under this Act, wilfully gives false Evidence, shall be liable to the Penalties of Perjury.

Expenses of Witnesses.

6. The reasonable Expenses incurred by any Person who may be summoned to appear to give Evidence in any Inquiry under this Act, according to a Scale to be approved by the Commissioners of Her Majesty's Treasury, may be allowed to such Person by a Certificate under the Hand of the said Commissioner or Examiner, and shall be paid to such Person by the said Commissioners of the Treasury, and shall be deemed to be Expenses incurred by the Commissioners for the Purposes of their Commission.

Protection to Persons appointed to conduct Inquiries.

7. The Persons appointed to conduct an Inquiry under this Act shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation of Actions.

8. No Action shall be brought against any Person appointed to conduct an Inquiry under this Act, or any other Person whomsoever, for any Thing done in the Execution of his Duty under this Act, unless such Action be brought within Six Calendar Months next after the doing of such Thing.

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CAP. IX.

An Act to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of *Dublin*, to all Persons irrespective of their religious Creed; and to amend the Act 40 *Geo.* 3. (*Ireland*), Chapter Eighty-four.

[5th *April* 1867.]

40 G. 3. (Ir.) c. 84.

WHEREAS under the Provisions of an Act passed in the Parliament of *Ireland* in the Fortieth Year of the Reign of King *George* the Third, Chapter Eighty-four, the Professorships of the University of *Dublin* of Anatomy and Chirurgery, Chemistry and Botany, are now by Law limited to Protestants of all Nations:

And whereas it is expedient to remove the said Disability, and to open the said Professorships to all duly qualified Persons, and otherwise to amend the said Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Removal of Disabilities in respect of certain Pro-

1. That from and after the passing of this Act the said Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University

fessorships in Dublin University.

University of *Dublin*, shall be open to Persons of all Nations, and that Candidates for the said Professorships or for the Professorships on the Foundation of Sir *Patrick Dun* shall not be subject to any Disability on account of Religion, or Want of a Medical Degree from any University.

Election of King's Professors.

2. Sections Fifteen, Sixteen, and Seventeen of the said Act are hereby repealed, and in lieu thereof be it enacted, That the said King's Professors shall be elected by the President and Fellows of the King's and Queen's College of Physicians.

Delivery of Clinical Lectures.

3. From and after the passing of this Act the said University Professors of Chemistry and of Botany shall cease to deliver the Clinical Lectures required by the said Act of the Fortieth Year of King *George* the Third, and instead thereof such Lectures shall be delivered by the Professor of Surgery in *Trinity College*, and the University Anatomist; and the said Professor of Surgery and University Anatomist shall be respectively entitled to the Fees payable heretofore to the said University Professors of Chemistry and Botany: Provided always, that nothing herein contained shall affect the Rights of the present University Professor of Chemistry in the event of his electing to deliver such Lectures during his Tenure of such Professorship.

Power to appoint a Clinical Lecturer.

4. In case any of the King's Professors or University Professors, or the University Anatomist, shall neglect to attend the said Hospital, or deliver Clinical Lectures, as required by the said Act, it shall be lawful for the President and Fellows of the King and Queen's College of Physicians, in the Case of the King's Professors, and for the Provost (or in his Absence the Vice Provost) and Senior Fellows of *Trinity College*, *Dublin*, in the Case of the University Professors and University Anatomist, to dispense with his delivering such Lectures; and in such Case it shall be lawful for the said President and Fellows of the said King and Queen's College of Physicians, and for the Provost (or in his Absence the Vice Provost) and Senior Fellows of *Trinity College*, *Dublin*, respectively, to appoint a Physician or Surgeon to attend the said Hospital and deliver the Clinical Lectures in the Place of such Professor so neglecting to lecture; and the Physician or Surgeon so appointed shall be entitled to receive and be paid the Fees to which the Professor so neglecting to attend the said Hospital and deliver such Lectures would have been entitled.

Power to make Regulations

5. That the Thirty-first Section of the said Act be repealed, and in lieu thereof be it enacted, That it shall be lawful for the President and

and Fellows of the King and Queen's College of Physicians, in the Case of the King's Professors, and for the Provost (or in his Absence the Vice Provost) and Senior Fellows of *Trinity College, Dublin*, in the Case of the University Professors, each College with the Assent of the other, to make Regulations respecting the Lectures to be given by its own Professors: Provided always, that if either the President and Fellows of the King and Queen's College of Physicians, or the Provost (or in his Absence the Vice Provost) and Senior Fellows of *Trinity College*, shall refuse to agree to the Regulations proposed by the other College, in such Case the Regulations so proposed shall be submitted to the Visitors of the College which refuses to agree to them; and it shall be lawful for such Visitors, and they are hereby required, upon hearing such Reasons as may be offered on both Sides, to determine whether the Regulations submitted to them shall or shall not be adopted, and the Decision of such Visitors in any such Case shall be final and conclusive. respecting Lectures.

6. And whereas by the Tenth Section of the said Act it is enacted, that after the Hospital therein mentioned should be completed, and after defraying the Charges arising from the Salaries and Expenses therein also mentioned, and the necessary Expenses of maintaining One hundred Patients, and the Establishment of such Hospital, which shall not be defrayed by private Contributions, then the clear annual Surplus of the Rents of the Estates therein mentioned shall be applied in the first place to support a Professor of Midwifery, who shall have a Salary of One hundred Pounds a Year, and no more: And whereas it is expedient to provide such Salary for a Professor of Midwifery irrespective of such Restriction: Be it enacted, That from and after the passing of this Act such Professor of Midwifery shall be entitled to receive and be paid the Salary of One hundred Pounds (late *Irish* Currency) *per Annum* out of the Rents of the said Estates; and that in consideration of such Salary the said Professor shall give Instruction in the Diseases peculiar to Females and in practical Midwifery in connexion with Sir *P. Dun's* Hospital; and that each Student availing himself of such Instruction shall pay to the Governors of the said Hospital the Sum of Three Guineas annually, to be applied by them to the Maintenance of Beds for the Treatment of Diseases peculiar to Females; and that each Student shall further pay to the Professor of Midwifery such Fees as shall be authorized by the Governors of the said Hospital, with Consent of the President and Fellows of the King and Queen's College of Physicians, and of the Provost and Senior Fellows of *Trinity College*. Salary of Professor of Midwifery.

7. That

Management of Library.

7. That Section Twelve of the said Act be and the same is hereby repealed: And whereas in addition to the Salary of the Librarian appointed under the Provisions of the said Act, being the Sum of Seventy Pounds (late *Irish* Currency), a Sum of Thirty Pounds *per Annum* has been for several Years applied to the Purchase of Books for a Library, and the Sum of Six Pounds Six Shillings to the Payment of a Library Porter: Be it enacted, That such Salary and Payments for the Purposes aforesaid shall continue to be made; and that it shall be lawful for the President and Fellows of the said King and Queen's College of Physicians to make such Rules and Regulations as to them shall seem necessary and proper for regulating the Duties of such Librarian, the Purchase of Books, and the Management of the said Library.

Vacating of Fellowships.

8. Whereas by the Forty-first Section of the said Act it is enacted that every Fellow of the said College who should thereafter accept any of the said Professorships should by such Acceptance immediately vacate his Fellowship in the said College of Physicians, and it is expedient that such Provision shall be repealed: Be it therefore enacted, That after the passing of this Act the accepting of any of the said Professorships by a Fellow of the said College shall not vacate his Fellowship; and that the present Professors, who on accepting their Professorships vacated their Fellowships, shall be and are hereby restored to their Fellowships in the said College, and all the Rights and Privileges thereunto belonging.

Short Title.

9. This Act may be cited for all Purposes as "The School of Physic (*Ireland*) Amendment Act, 1867."

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CAP. X.

An Act to amend the Law relating to the Duties and Drawbacks on Sugar. [5th *April* 1867.]

WHEREAS by a Convention between Her Majesty, the King of the *Belgians*, the Emperor of the *French*, and the King of the *Netherlands*, signed at *Paris* the Eighth Day of *November* One thousand eight hundred and sixty-four, certain Articles were entered into between the said High Contracting Parties with reference to the Duties and Drawbacks on Sugar, which it is thereby stipulated shall be regulated according to the Proportions mentioned therein, and also in a certain Declaration of the Plenipotentiaries of the said High Contracting Parties made at *Paris* the Twentieth Day of *November* One thousand eight hundred and sixty-six, and for the Period and in the Manner mentioned in the said Convention:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Customs Duties on Sugar.

1. On and after the First Day of *May* One thousand eight hundred and sixty-seven, in lieu of the Duties of Customs now charged on the under-mentioned Articles, the following Duties of Customs

Customs shall be charged thereon, on Importation into *Great Britain* or *Ireland*; (that is to say,)

Sugar, *viz.*:		£	*s.*	*d.*
Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, and Manufactures of refined Sugar -	the Cwt.	0	12	0
Sugar not equal to refined, *viz.*:				
First Class - - - -	the Cwt.	0	11	3
Second Class - - - -	the Cwt.	0	10	6
Third Class - - - -	the Cwt.	0	9	7
Fourth Class, including Cane Juice -	the Cwt.	0	8	0
Molasses - - - -	the Cwt.	0	3	6

Drawbacks on refined Sugar.

2. On and after the First Day of *May* One thousand eight hundred and sixty-seven, in lieu of the Drawbacks now allowed thereon, the following Drawbacks shall be paid and allowed on the under-mentioned Descriptions of Sugar refined in *Great Britain* or *Ireland* on the Exportation thereof to Foreign Parts, or on Removal to the *Isle of Man* for Consumption there, or on Deposit in any approved Warehouse, upon such Terms and subject to such Regulations as the Commissioners of Customs may direct for Delivery from such Warehouse as Ship's Stores only, or for the Purpose of sweetening *British* Spirits in Bond; (that is to say,)

	£	*s.*	*d.*
Upon refined Sugar in Loaf complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout; and upon such Sugar pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporter; and upon Candy and also upon Sugar refined by the centrifugal or by any other Process, and not in any way inferior to the Export Standard Sample No. 1. approved by the Lords of the Treasury - - - for every Cwt.	0	12	0
Upon refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 2. approved by the Lords of the Treasury, and which shall not contain more than Five *per Centum* of Moisture over and above what the same would contain if thoroughly dried in the Stove - for every Cwt.	0	11	5

Upon

	£	*s.*	*d.*
Upon other refined Sugar unstoved, being Bastards or Pieces, ground, powdered, or crushed:			
—— Not in any way inferior to the Export Standard Sample No. 3. approved by the Lords of the Treasury - for every Cwt.	0	11	3
—— Not in any way inferior to the Export Standard Sample No. 4. approved by the Lords of the Treasury - for every Cwt.	0	10	6
—— Not in any way inferior to the Export Standard Sample No. 5. approved by the Lords of the Treasury - for every Cwt.	0	9	7
—— Inferior to the above last-mentioned Standard Sample - - - for every Cwt.	0	8	0

Commissioners of Customs to provide Standard Samples of Sugar for assessing Duties and allowing Drawback.

3. For facilitating the due Assessment of the Duties and the Allowance of Drawbacks on Sugar with reference to Colour, Grain, or Saccharine Matter, considered collectively as they affect the general Quality of the Sugar, the Commissioners of Customs shall provide and renew from Time to Time One or more Sample or Samples of each of the respective Qualities according to which Sugar may be chargeable with Duty upon Importation into *Great Britain* or *Ireland*, and according to which the several Rates of Drawback shall be allowed as specified herein on the respective Descriptions of refined Sugar on the Exportation or Removal or Deposit thereof in Warehouse, such Samples to be approved by the Lords Commissioners of Her Majesty's Treasury, and when so approved shall be deemed to be Standard Samples for the Purpose of assessing the Duty upon Sugar, or for allowing the Drawback thereon, according as it may be equal to any of such Samples on comparison therewith by the proper Officer of Customs; and no Sugar shall be chargeable with the Duty payable, nor shall any Drawback be allowed, in respect of any particular Quality or Description of Sugar in respect of which a Sample for assessing the Duty or allowing the Drawback, as the Case may be, is provided as aforesaid, unless such Sugar shall be equal to such Sample.

Excise Duties on Sugar.

4. On and after the First Day of *May* One thousand eight hundred and sixty-seven, in lieu of the Duties of Excise now chargeable on Sugar made in the United Kingdom, the following Duties of Excise shall be charged thereon; (that is to say,)

Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, and Manufactures of refined Sugar -	the Cwt.	0	12	0

Sugar

Sugar Duties.

Sugar not equal to refined, according to the Standard Samples approved by the Lords of the Treasury for assessing the Duties of Customs on Sugar imported into the United Kingdom; *viz.*,					
First Class	- - -	the Cwt.	0	11	3
Second Class	- - -	the Cwt.	0	10	6
Third Class	- - -	the Cwt.	0	9	7
Fourth Class	- - -	the Cwt.	0	8	0
Molasses	- - -	the Cwt.	0	3	6

Duties on Sugar used for brewing.

5. On and after the First Day of *May* One thousand eight hundred and sixty-seven, in lieu of the Duties of Excise now chargeable for and upon every Hundredweight (and so in proportion for any greater or less Quantity than a Hundredweight) of all Sugars which shall be used by any Brewer of Beer for Sale in the brewing or making of Beer, there shall be charged and paid the Excise Duty of Three Shillings and Sixpence.

Provisions of former Acts to apply to this Act.

6. All the Powers, Provisions, Clauses, Regulations, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts relating to any Duties of the same Kind or Description as the several Duties granted by this Act, and in force at the Time of the passing of this Act, and not hereby expressly repealed, shall be in full Force and Effect with respect to the Duties granted by this Act respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, enforced, and put in execution for and in the raising, levying, collecting, and securing such Duties, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Duties granted by this Act respectively.

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Court may make an Order for substituted Service.

Court, or in which such Provincial or Diocesan Court shall, under the said recited Act, have Jurisdiction, directing the Payment of an annual Sum by way of Alimony by any Person, or of any Sum of Money as and for the Arrears of Alimony theretofore decreed or ordered to be paid, and it shall be made to appear to the Satisfaction of the Court by Affidavit, upon Application of the Person entitled to such Payment, that all due Efforts have been made for the Purpose of effecting personal Service upon the Person liable to such Payment of such Decree or Order, or for the Purpose of personally demanding from such Person the Payment of any Sum or Sums due under such Decree or Order, and that notwithstanding all due Diligence such Efforts to effect personal Service or Demand have been unavailing, either by reason of the Absence of the Person so sought to be served, or from other Causes not within the Control of the Person entitled to the Benefit of such Order or Decree, it shall be lawful for the Court to make an Order for the Substitution of the Service of such Decree or Order, or of a Demand of the Payment of such Sum or Sums of Money as aforesaid, as to the Court shall seem just and expedient.

Court may order Advertisements touching Enforcement of Decree where no substituted Service can be had.

2. In all Cases coming within the First Section of this Act, when the several Matters required to be proved to the Satisfaction of the Court before making any Order for substituted Service shall have been proved, and it shall further be made to appear by Affidavit that there is no Person upon whom such substituted Service can properly be had, it shall be lawful for the Court to order, in lieu of such substituted Service, that Advertisements shall be had in Two or more of the public Newspapers touching the Enforcement of such Decree or Order in such Form and subject to such Conditions in all respects as the Court shall direct.

Decree to be as effectual as personal Service.

3. After any such substituted Service or Advertisements as in the preceding Section of this Act authorized shall have taken place, such Decree or Order may be enforced in all respects as fully and effectually as if the same had been personally served upon the Person liable to the Payment of the Monies due under such Decree or Order, and as if a personal Demand had been made of such Monies from the Person liable to the Payment thereof.

LONDON:
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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XII.

An Act to amend the Law relating to Criminal Lunatics. [12th *April* 1867.]

WHEREAS it is expedient to amend the Law relating to Criminal Lunatics: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Criminal Lunatics Act, 1867."

Definition of Criminal Lunatic.

2. "Criminal Lunatic" shall mean for the Purposes of this Act any of the Persons following; that is to say,

1. Any Person for whose safe Custody during Her Pleasure Her Majesty is authorized to give Order:
2. Any Person whom One of Her Majesty's Principal Secretaries of State is authorized by Law to direct to be removed to a Lunatic Asylum under any Act of Parliament:
3. Any Person sentenced or ordered to be kept in Penal Servitude who may be shown to the Satisfaction of the Secretary of State to be unfit from Imbecility of Mind for Penal Discipline.

3. This

Application of Act.

3. This Act shall not apply to *Scotland* or *Ireland*.

General Application of ss. 9. and 10. of 23 & 24 Vict. c. 75.

4. The Enactments contained in the Ninth and Tenth Sections of the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-five, relating to the following Matters:

(1.) To the Power of the Secretary of State to permit a Lunatic to be absent from the Asylum on Trial:

(2.) To the Expenses of Conveyance and Maintenance of Criminal Lunatics:

shall apply to a Criminal Lunatic in whatever Asylum or Place of Confinement he may be, and to such Asylum and Place of Confinement, so far as regards such Lunatic, in the same Manner as if such Asylum or Place of Confinement were an Asylum appropriated to Criminal Lunatics in pursuance of the last-mentioned Act.

Power of Secretary of State to give conditional Order of Discharge.

5. It shall be lawful for One of Her Majesty's Principal Secretaries of State to discharge absolutely or conditionally any Criminal Lunatic.

Where any Criminal Lunatic has been discharged conditionally, if any of the Conditions of such Discharge are broken, the said Secretary of State may by Warrant, to be executed by any Constable or other Peace Officer to whom such Warrant is delivered, direct such Person to be taken into Custody, and to be conveyed to the Place in which he was detained at the Time of his Discharge, or to any other Place to which he might have been removed if no Order for his Discharge had been given, and any Person so taken into Custody shall revert in all respects to the same Position as he was in at the Time when the Order of Discharge was given, and shall be subject to be detained accordingly.

Criminal Lunatic may be removed to a County Asylum on Expiration of his Sentence.

6. The Eighth Section of the said Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-five, shall be repealed, and in place thereof be it enacted: Where the Term of Punishment awarded to any Criminal Lunatic confined in any Asylum or other Place of Confinement for Criminal Lunatics expires before such Evidence of his Sanity has been given as justifies his being discharged, the following Consequences shall ensue; that is to say,

1. If such Lunatic be confined in any Asylum or Place of Confinement to which Lunatics may be sent in pursuance of the Lunatic Asylums Act, 1853, he shall thenceforth be deemed to be a Pauper Lunatic, and shall be in the same Position in all respects as if he were a Lunatic who immediately

immediately previous to the Expiration of his Term of Punishment had been found wandering at large within the Parish or Place where the Offence was committed in respect of which he became a Criminal Lunatic, and had been directed by a Justice, in pursuance of the Sixty-eighth Section of the Lunatic Asylums Act, 1853, to be received into the said Asylum or Place of Confinement as a Lunatic wandering at large, and a proper Person to be taken charge of and detained under Care and Treatment:

2. If such Lunatic be confined in any Asylum or Place of Confinement to which Lunatics cannot be sent in pursuance of the said Lunatic Asylums Act, 1853, the said Secretary of State may, by Order under his Hand, direct the Lunatic to be received into any Asylum or Place of Confinement for Lunatics into which a Justice might have directed him to be received in pursuance of the said Sixty-eighth Section of the Lunatic Asylums Act, 1853, if immediately previous to the Date of the Expiration of his Term of Punishment the Lunatic had been found wandering at large within the Parish or Place where the Offence was committed in respect of which he became a Criminal Lunatic, and the Justice had been satisfied that the Lunatic was a proper Person to be taken charge of and detained under Care and Treatment; and any Order made by the said Secretary of State in pursuance of this Section shall have the same Effect, and be obeyed by the same Persons, and subject them to the same Penalties in case of Disobedience, as an Order made by a Justice for the Reception of a Lunatic into an Asylum or other Place of Confinement for Lunatics in pursuance of the said Sixty-eighth Section of the said Lunatic Asylums Act, 1853; and such Lunatic when received into the said Asylum or Place of Confinement shall thenceforth be deemed to be a Pauper Lunatic, and shall be in the same Position in all respects as if he had been such wandering Lunatic as aforesaid directed to be received into the said Asylum or Place of Confinement in pursuance of the said Order of a Justice.

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VICTORIÆ REGINÆ.

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Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Articles of War made by Her Majesty to be judicially taken notice of, and Copies printed by the Queen's Printer to be transmitted to Judges, &c.

1. It shall be lawful for Her Majesty to make Articles of War for the better Government of Her Majesty's Army, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the Queen's Printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary of State for the War Department to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad: Provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or within the *British Isles*, shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishments as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act: Provided also, that nothing in this Act contained shall in any Manner prejudice or affect any Articles of War or other Matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the Authority of the Government of *India*, respecting Officers or Soldiers or Followers in Her Majesty's *Indian* Army, being Natives of *India*; and on the Trial of all Offences committed by any such Native Officer or Soldier or Follower, Reference shall be had to the Articles of War framed by the Government of *India* for such Native Officers, Soldiers, or Followers, and to the established Usages of the Service.

Persons subject to this Act.

2. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Warrant Officers, and to all Persons employed on the Recruiting Service receiving Pay, and all Pensioners receiving Allowances in respect of such Service, and to Persons who are or shall be hired to be employed in the Royal Artillery, Royal Engineers, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military

Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff, or Soldiers in the Commissariat Staff Corps, and to Officers and Soldiers serving in the Military Store Department or in the Military Store Staff Corps, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five,) to any Out-pensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Military Store Officers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; and all the Provisions of this Act shall apply to all Persons belonging to Her Majesty's *Indian* Forces who are or shall be commissioned or in Pay as Officers, or who shall be listed or in Pay as Non-commissioned Officers or Soldiers, or who are or shall be serving or hired to be employed in the Artillery or any of the Trains of Artillery, or as Master Gunners or Gunners, or as Conductors of Stores, or who are or shall be serving in the Department of Engineers, or in the Corps of Sappers and Miners, or Pioneers, or as Military Surveyors or Draftsmen, or in the Ordnance or Public Works or Commissariat Departments, and to all Storekeepers and other Civil Officers employed under the Ordnance, and to all Veterinary Surgeons, Medical Storekeepers, Apothecaries, Hospital Stewards, and others serving in the Medical Department of the said Forces, and to all Licensed Suttlers, and all Followers in or of any of the said Forces; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Military Store Officer, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Provisions of this Act to extend to Jersey, Guernsey, &c.

3. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and as to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also as to the Provisions which relate to the Punishment of

of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also as to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Colonial and Foreign Troops in Her Majesty's Pay to be subject to Provisions of this Act.

4. All Officers and Soldiers of any Troops mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty, shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *Great Britain* or *Ireland* although not allowed to serve therein, all the Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Provision as to the Militia and Yeomanry Corps.

5. Nothing in this Act contained shall be construed to extend to any Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only where by any Act for regulating any of the said Forces or Corps the Provisions contained in any Act for punishing Mutiny and Desertion are or shall be specifically made applicable to such Forces or Corps.

Power to constitute Courts-martial.

6. For the Purpose of bringing Offenders against this Act and against the Articles of War to Justice, Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding of Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of Troops belonging to Her Majesty's Army, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles* as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands to convene Courts-martial, as Occasion may require, for the Trial

of

of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command: Provided that the Officer so authorized be not below the Degree of a Field Officer, except in detached Situations beyond Seas where a Field Officer is not in Command, in which Case a Captain may be authorized to convene District or Garrison Courts-martial: Every Officer so authorized to convene Courts-martial may confirm the Sentence of any Court-martial convened by him according to the Terms of his Warrant.

Place where Offenders may be tried.

7. Any Person subject to this Act who shall, in any Part of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions or in any other Place whereto he may have come or where he may be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Powers of General Courts-martial.

8. Every General Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer or Soldier to suffer Death, Penal Servitude, Imprisonment, Forfeiture of Pay or Pension, or any other Punishment which shall accord with the Usage of the Service: No Sentence of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein; no Sentence of Penal Servitude shall be for a Period of less than Five Years; and no Sentence of Imprisonment shall be for a Period longer than Two Years.

Powers of District or Garrison Courts-martial.

9. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Regimental or Detachment Courts-martial.

10. A Regimental or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it is found to be impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, or to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

11. In

Mutiny.

Courts-martial on Line of March or in Troop Ships, &c.

11. In Cases of Mutiny, and Insubordination accompanied with personal Violence, or other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship, not in Commission, the Offender may be tried by a Regimental or Detachment Court-martial, and the Sentence may be confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award.

Powers of Detachment General Courts-martial.

12. It shall be lawful for any Officer commanding any Detachment or Portion of Troops serving in any Place beyond Seas where it may be found impracticable to assemble a General Court-martial, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or resident in any Country in which such Troops are so serving by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Detachment General Court-martial, which shall consist of not less than Three Commissioned Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding the Army of which such Detachment or Portion forms Part shall have approved and confirmed the same.

As to swearing and summoning of Witnesses.

13. All General and other Courts-martial shall administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who

who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence, or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session or Sheriff or Stewart Courts in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof: It shall be lawful for the President of any Court-martial to administer an Oath to a Shorthand Writer to take down, according to the best of his Power, the Evidence to be given before the Court.

Oath to be administered to Shorthand Writer.

14. No Officer or Soldier who shall be acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

No Second Trial for the same Offence, but Revision may be allowed.

15. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in any Forces belonging to Her Majesty's Army, or Her Majesty's Royal Marines, or shall not use his utmost Endeavours to suppress the same, or shall conspire with any other Person to cause a Mutiny, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence, or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the

Crimes punishable with Death.

the Enemy; or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall sleep on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence be committed within this Realm or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death, or Penal Servitude, or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Soldier attested for or in Pay in any Regiment or Corps who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Regiment or Corps, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Judgment of Death may be commuted for Penal Servitude or otherPunishments.

16. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Commanding Officer having Authority to confirm the Sentence, instead of causing such Sentence to be carried into execution, to order the Offender to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, as shall seem meet to Her Majesty, or to the Officer commanding as aforesaid.

Embezzlement, &c. of Stores punishable by Penal Servitude, or by Fine, Imprisonment, &c.

17. Any Officer or Soldier of Her Majesty's Army, or any Person employed in the War Department, or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to Her Majesty's Army or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same, knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained,

and

and in every such Case the Court is required to ascertain by Evidence the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies, or in *India*, where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

As to Execution of Sentences of Penal Servitude in the United Kingdom.

18. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Army in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Army in *Great Britain* and *Ireland*, then by the Secretary of State for the War Department, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Penal Servitude of such Offender in conformity with such Notification, and shall do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Penal Servitude of other Offenders; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland* to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England;* and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England*, and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England;* and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be kept in Penal Servitude shall be subject to every Provision made

by Law and in force concerning Persons under Sentence of Penal Servitude; and from the Time when such Order of Penal Servitude shall be made every Act in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape or returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, and the Conditions on which the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

As to Execution of Sentences of Penal Servitude in the Colonies, India, or elsewhere out of Her Majesty's Dominions.

19. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in *India*, or in any other Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in *India*, or the Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in *India*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced, or where he may come or be as aforesaid, in obedience to the Directions for the

Removal

Mutiny.

Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall according to such Directions undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced, or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony, or in the Colony or Place to which he has been so removed or sent respectively: And elsewhere out of Her Majesty's Dominions, the Officer commanding shall have Power to make an Order in Writing for the Penal Servitude or intermediate Custody of such Offender; and such Offender shall be liable by virtue of such Order to be imprisoned and kept to Hard Labour and otherwise dealt with under the Sentence of the Court in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in the Place where he may be ordered to be kept in such intermediate Custody, or in the Place to which he may be removed for the Purpose of undergoing his Sentence of Penal Servitude. If any Prisoner shall be brought to any Place in the United Kingdom there to undergo any Sentence of Penal Servitude which has been passed upon him by a Court-martial held elsewhere, and the Judge's or Officer's Order herein-before prescribed for his Penal Servitude and intermediate Custody shall not be forthcoming, and the Judge Advocate General, upon Application for that Purpose, shall certify that it appears from the original Proceedings of the Court-martial whereby the Prisoner was tried that he has been duly sentenced to Penal Servitude, and that for anything that appears to the contrary thereon such Sentence is still in force against the said Prisoner for the Period to be stated in such Certificate, then it shall be lawful for One of Her Majesty's Principal Secretaries of State, upon Consideration of such Certificate, to direct, in Writing under his Hand, that the said Prisoner shall be at once removed to a Convict Prison, and be imprisoned and kept to Hard Labour according to the Sentence stated in such Certificate, and thereupon the Prisoner shall be removed to such Convict Prison, and shall be liable to be imprisoned and kept to Hard Labour, and be otherwise dealt with during the Term of his Sentence, as if he had been sentenced to a like Term of Penal Servitude by a competent Court in the United Kingdom.

20. In

A Sentence of Penal Servitude may be commuted for Imprisonment, &c.

20. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for such Term not exceeding Two Years as shall seem meet to Her Majesty, or to the Officers commanding as aforesaid.

Of Forfeitures, when combined with Penal Servitude.

21. Where an Award of any Forfeiture, or of Deprivation of Pay or of Stoppages of Pay, shall have been added to any Sentence of Penal Servitude, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted, as may be deemed expedient.

Courts-martial may sentence to Corporal Punishment for certain Offences.

22. Any Court-martial may sentence any Soldier to Corporal Punishment for Mutiny, or for Insubordination accompanied with personal Violence; and, save as aforesaid and as herein-after mentioned, no Court-martial shall have Power to sentence any Soldier to Corporal Punishment; provided, that any Court-martial may sentence any Soldier to Corporal Punishment while on active Service in the Field, or on board any Ship not in Commission, for Mutiny, Insubordination, Desertion, Drunkenness on Duty or on the Line of March, disgraceful Conduct, or any Breach of the Articles of War; and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

23. It shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed by the Articles of War.

Power to commute Corporal Punishment for Imprisonment, &c.

24. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary

Solitary Confinement and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Power to commute a Sentence of Cashiering.

25. It shall be lawful for Her Majesty in all Cases whatsoever, instead of causing a Sentence of Cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Regimental Rank, or both, as may be deemed expedient.

Marking Deserters, or Soldiers discharged with Ignominy.

26. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked Two Inches below and One Inch in rear of the Nipple of the Left Breast with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be clearly seen, and not liable to be obliterated; a Court-martial may, upon sentencing any Offender to be discharged with Ignominy, also sentence him to be marked on the Right Breast with the Letters B C; and the confirming Officer may order such Sentence, both in respect of the Discharge and of the Marking, to be carried into effect.

Power of Imprisonment by different Kinds of Courts-martial.

27. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, but such Solitary Confinement shall not exceed the Periods prescribed by the Articles of War; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and with or without Solitary Confinement not exceeding the Periods prescribed by the Articles of War.

As to Imprisonment of Offenders already under Sentence.

28. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, the Court may award a Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial, to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which any of those Punishments could be otherwise awarded.

Regulations as to Military Prisons.

29. It shall be lawful for the Secretary of State for the War Department to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building or any Two or more Buildings shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison which, under the Provisions of any former Act of Parliament, has been or which shall be so as aforesaid set apart and declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary of State for the War Department; and it shall be lawful for the said Secretary of State from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of the Offenders confined therein, which said Rules and Regulations so made as aforesaid shall remain and continue to be in force until the same are altered or repealed by Her Majesty's said Secretary of State for War; and it shall be lawful for the said Secretary of State from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor, or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer or Servant of any such Military Prison; and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person or Persons as the said Secretary of State may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the said Secretary of State may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the said Secretary of State shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced, within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison shall, subject to such Rules and Regulations as may from Time to Time be made by the said Secretary of State, have and exercise in respect of such Prison, and of the Governor, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector,

Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

As to the Custody of Military Offenders under Sentence of Court-martial and in other Cases.

30. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Offence of which he shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over to other Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

As to the Removal or Discharge of Prisoners in certain Cases.

31. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of the United Kingdom, it shall be lawful for the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial

martial in any public Prison other than such Military Prison as aforesaid, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the General commanding in chief or the Adjutant General of Her Majesty's Forces in the Case of any such Prisoner, and for the Commander-in-Chief in *India* in the Case of any Prisoner so confined in any Part of Her Majesty's *Indian* Dominions, and for the General commanding in chief in any Presidency in *India* in the Case of a Prisoner so therein confined, and for the Officer commanding in chief or the Officer who confirmed the Proceedings of the Court at any Foreign Station in the Case of a Prisoner so there confined, to give as often as Occasion may arise an Order in Writing directing that the Prisoner be discharged or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction either within the United Kingdom or elsewhere to some other Prison or Place either in the United Kingdom or elsewhere, the Officer who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to other Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for the War Department, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military Custody as may be lawfully exercised by any of the Military Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly,

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on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence for whatever Purpose such Detention shall take place; and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Provision for Subsistence of Soldiers when imprisoned in Common Gaols.

32. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions shall diet and supply every Soldier imprisoned therein under the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, in *Great Britain* and *Ireland* One Shilling *per Diem*, and in other Parts of Her Majesty's Dominions Sixpence *per Diem*, which the Secretary of State for the War Department shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of One Shilling or of Sixpence *per Diem*, as the Case may be, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed. In *India* the Expenses incurred under the Provisions of this Section shall be paid in the same Manner as the other Expenses of such Prison, or as may be provided by the Laws or Regulations to be made in that Behalf.

Expiration of Imprisonment of Soldiers in Common Gaols.

33. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall forthwith, or as soon as may be, give, if in *Great Britain* to the Secretary of State for the War Department, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, or if in *India* to the Adjutant General of the Army, or to the nearest Military Authority with whom it may be convenient to communicate, Notice of the Day and Hour on which the Imprisonment of such Person will expire; and every such Gaoler or Keeper is hereby required to use his best Endeavours to ascertain and report in all Cases where practicable the particular Regiment or Corps, Battalion of a Regiment or Battery of Artillery, to which such

Soldier belongs, and also whether he belongs to the Depôt or the Head Quarters of his Regiment; and in the event of his being a Recruit who has not joined, that it may be so stated in his Report, together with the Name of the Place where the Man enlisted. In all Cases where the Soldier in Custody is under Sentence to be discharged from the Service on the Completion of his Term of Imprisonment, and the Discharge Document is in the Hands of the Gaoler, such Gaoler shall not be required to make any Report thereof to the Secretary of State for War, or to the Military Authorities hereinbefore referred to.

Apprehension of Deserters in the United Kingdom.

34. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry and to remand the said suspected Person in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall appear to the Satisfaction of such Justice by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Regiment or Corps to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Soldiers of his own Regiment or Corps in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and

and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of State for the War Department, specifying therein whether such Deserter was delivered to his Regiment or Corps, or to the Party of his Regiment or Corps, in order to his being taken to the Head Quarters or Depôt of his Regiment or Corps, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary of State, and proceeded against according to Law; and such Justice shall also send to the said Secretary of State a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured; and the said Secretary of State shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the said Secretary of State shall be satisfied they are entitled to according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of State for the War Department, and transmit also to the said Secretary of State a Copy of the Commitment, to the end that such Secretary of State may order Repayment of such Fees; and when any such Person shall be apprehended and committed as a Deserter in any Part of Her Majesty's Foreign Dominions the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment or Corps to which he is suspected to belong shall not be in such Part, or, if the Regiment or Corps be in such Part, the Justice may deliver him into Custody at the nearest Military Post if within reasonable Distance, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding a Descriptive Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law; and such Descriptive Return purporting to be duly made and subscribed in accordance with the Act shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of the Facts and Matters therein stated: Provided always, that any such Person so committed as a Deserter in any Part of Her Majesty's Dominions

In Her Majesty's Foreign Dominions.

Transfer of Deserters.

Dominions shall, subject to the Provisions herein-after contained, be liable to be transferred by Order of the General or other Officer commanding to serve in any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it desirable that he should be transferred, and shall also be liable after such Transfer of Service to be tried and punished as a Deserter.

As to the temporary Custody of Deserters in Gaols.

35. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine therein every Deserter who shall be delivered into his Custody by any Soldier or other Person conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary of State for the War Department, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Keeper shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by Her Majesty's Regulations.

Desertion of Recruits prior to joining their Regiments or Corps.

36. Any Recruit for Her Majesty's Army who, having been attested or received Pay other than Enlisting Money, shall desert before joining the Regiment or Corps for which he has enlisted, shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, forfeit his personal Bounty, and be liable to be transferred to any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

Fraudulent Confession of Desertion.

37. Any Person who shall confess himself to be a Deserter from Her Majesty's Forces, or from the Embodied Militia, shall be liable to be taken before any Two Justices of the Peace acting for the County, District, City, Burgh, or Place where any such Person shall at any Time happen to be when he shall be brought before them, and on Proof that any such Confession as aforesaid was false shall by the said Justices be adjudged to be punished, if in *England* as a Rogue and Vagabond, and if elsewhere by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not

not exceeding Three Calendar Months; and if, when such Person shall be brought before the said Justices, it shall be proved to their Satisfaction that such Confession has been made, but Evidence of the Truth or Falsehood of such Confession shall not at that Time be forthcoming, such Justices within the United Kingdom are hereby required to remand such Person in the Manner herein-before mentioned, and to transmit a Statement of the Case to the Secretary of State for the War Department, with a Request to be informed whether such Person appears to belong or to have belonged to the Regiment or Corps from which he shall have so confessed himself to have deserted; and a Letter from the War Office in reply thereto, referring to such Statement, and purporting to be signed by or on behalf of the Secretary of State for the War Department, shall be admissible in Evidence against such Person, and shall be deemed to be legal Evidence of the Facts stated therein, and on the Receipt thereof the said Justices shall forthwith proceed to adjudicate upon the Case. In *India* the Authority herein given to Two Justices may be exercised by One *European* Justice or Magistrate.

Furlough in case of Sickness.

38. When there shall not be any Military Officer of Rank not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall by Letter immediately certify such Extension and the Cause thereof to the Commanding Officer of the Corps or Detachment to which such Non-commissioned Officer or Soldier belongs, if known, and if not then to the Agent of the Regiment or Corps, in order that the proper Sum may be remitted to such Non-commissioned Officer or Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

No Person acquitted or convicted by the Civil Magistrate or by a Jury to be tried by a Court-

39. No Person subject to this Act, having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again convicted for the same Crime or Offence by a Court-martial, or to be punished for the same otherwise than by cashiering in the Case of a Commissioned

martial for the same Offence.

Officer, or in the Case of a Warrant Officer by Reduction to an inferior Class or to the Rank of a Private Soldier by Order of the Commander-in-Chief, or in the Case of a Non-commissioned Officer by Reduction to the Ranks by Order of the Commander-in-Chief or of the Colonel, or in the Militia by Order of the appointed Commandant of the Regiment or Corps; and whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment or Corps to which such Officer or Soldier shall belong, transmit to him a Certificate setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

40. Any Person attested for Her Majesty's Army, or serving on the permanent Staff of the Disembodied Militia or Volunteers other than as a Commissioned Officer, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, or of any Crime or Offence other than the Misdemeanor of absenting himself from his Service, or neglecting to fulfil his Contract, or otherwise misconducting himself respecting the same, or the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service by any Writ, Summons, Warrant, Order, Judgment, Execution, or any Process whatsoever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

Fund of any Union, any Relation or Child which such Soldier or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order on that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, or misconducting himself respecting the same, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Military Necessaries or Equipments of such Soldier; provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and bonâ fide Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed.

Officers not to be Sheriffs or Mayors, &c.

41. No Person who shall be commissioned and in full Pay as an Officer shall be capable of being nominated or elected to be Sheriff of any County, Borough, or other Place, or to be Mayor, Portreeve, Alderman, or to hold any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*.

Questions to be put to Recruits on enlisting.

42. Every Person authorized to enlist Recruits shall first ask the Person offering to enlist whether he belongs to the Militia, and also such other Questions as the Military Authorities may direct to be put

put to Recruits, and shall immediately after giving him Enlisting Money serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Recruits, when deemed to be enlisted.

43. Every Person who shall receive Enlisting Money in manner aforesaid, knowing it to be such, shall, subject to the Provisions herein-after contained, upon such Receipt be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

44. Every Person so enlisted as aforesaid shall within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Army, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and upon such Appearance the Justice or some Person deputed by him shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto he will be liable to be punished as a Rogue and Vagabond.

Dissent and Relief from Enlistment.

45. When a Recruit upon appearing before a Justice for the Purposes aforesaid shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Inspecting Field Officer of the District, or in the Case of a Recruit enlisted at the Head Quarters or Depôt of a Regiment to the Officer commanding the same; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money, and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he will be entitled to be discharged, and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of State for the War Department and to the Inspecting Field Officer of the District, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

46. If

Attesting of Recruits.

46. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration, and taken the said Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested; and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits, until they have been attested or received Pay not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

47. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit previously to his being attested shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices within the United Kingdom, or for any One Justice out of the United Kingdom, acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, to adjudge such Recruit, when he shall be brought before them or him, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, or elsewhere in Her Majesty's Dominions, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and the Declaration made by the Recruit on his Attestation purporting to be made and subscribed in accordance with the Schedule to this Act annexed shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of such Recruit having represented the several Particulars as stated in such Declaration.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

48. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable, at the Discretion of the proper Military Authorities, to

to be proceeded against before Two Justices in the Manner hereinbefore mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

49. If any Recruit shall abscond, so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence and Description of such Recruit, and of his having absconded, and shall declare the same to be true; and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of State for the War Department, in order that the same may appear in the *Police Gazette*.

As to Militiamen enlisting into Regular Forces.

50. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Army, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for the War Department to give such general Directions as may from Time to Time appear to him necessary for placing any Man who confesses himself to be a Militiaman under Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, in lieu of his being tried by Court-martial, and further to give general Directions as to the Manner in which such Stoppage shall be applied, and whether, on making good the same, the Man shall be returned to his Militia Regiment or be deemed to be a Soldier in the same Manner as if he had not been a Militiaman at the Time of his Attestation: Provided that if the Regiment of Militia from which the Man has deserted be within the United Kingdom, the Secretary of State for the War Department shall not make such latter Order without the Consent of the Commanding Officer of such Regiment: Provided also, that every Soldier who while belonging to a Militia Regiment enlisted in Her Majesty's Army, whether such Enlistment took place before or after the passing of the Mutiny Act, 1860, shall reckon Service towards the Performance of his limited Engagement from the Date of his Attestation: Provided also, that any such Soldier shall not reckon Service for Pension until the Day on which his Engagement for the Militia would have expired; but if any such Soldier shall subsequently to his Enlistment have rendered long, faithful, or gallant Service, the Secretary of State for War may, upon the special Recommendation of the Commander-in-Chief, order that he may reckon Service for Pension from the Date of his Attestation. If any Non-commissioned Officer of the Volunteer Permanent Staff enlists

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in Her Majesty's Army he may be tried and punished as a Deserter, but if he confesses his Desertion the Secretary of State for the War Department, instead of causing him to be tried and punished as a Deserter, may cause him to be returned to his Service on the Volunteer Permanent Staff, to be there put under Stoppages from his Pay until he has repaid the Amount of any Bounty received by him and the Expenses attending his Enlistment, and also the Value of any Arms, &c. issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him; or may cause him to be held to his Service in Her Majesty's Army, with a Direction, if it seems fit, that his Time of Service therein shall not be reckoned for Pension until the Time when his Engagement on the Volunteer Permanent Staff would have expired; and may further cause him to be put under Stoppages of One Penny a Day of his Pay until he has repaid the Expense attending his Engagement or Attestation on the Volunteer Permanent Staff, and also the Value of any Arms, Clothing, or Appointments issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him.

Punishment of Persons offending against Laws relating to Enlistment.

51. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Army shall be liable to be tried for such Offence before a General, District, or Garrison Court-martial, and to be sentenced to such Punishments other than Death or Penal Servitude as such Courts may award.

Enlistment and Re-enlistment, and Transfer to another Corps abroad.

52. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, and in any Colony for any other Person duly authorized in that Behalf by the Governor or Officer administering the Government of such Colony, and in Her Majesty's Dominions in *India* for any Person duly authorized in that Behalf by the Governor General or Lieutenant Governor or other Officer administering the Government of any Presidency, Division, or Province, and within the Territories of any Foreign State in *India* for the Person performing the Duties of the Office of *British* Resident therein, and for any other Person duly authorized in that Behalf by the Governor General, to enlist and attest or to re-engage within the local Limits of their several Authorities any Soldiers or Persons desirous of enlisting or re-engaging in Her Majesty's Army; and it shall be lawful, notwithstanding anything contained in the Statute Twenty-third and Twenty-fourth *Victoria*, Chapter One hundred, for any Person so authorized in Her Majesty's Dominions in *India*, or within the Territories of any Foreign State in *India*, to

to enlist and attest within the local Limits of his Authority any Persons desirous of enlisting in Her Majesty's *Indian* Forces. Any such Magistrate or Person as aforesaid shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; but no such Magistrate or other Person authorized to enlist and attest as above mentioned shall be a General Officer or hold any Regimental Commission; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so attested shall be deemed to be an attested Soldier.

Soldiers willing may be transferred to succeeding Corps.

53. When any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier.

Soldiers may be transferred from one Service to another.

54. It shall be lawful for the Commander-in-Chief, or for any Officer authorized by him in that Behalf, to direct that any Soldier attested for any one Branch of the Service shall, on the Application of his Commanding Officer, and with his own Consent, be transferred to some other Branch of the Service or to some other Regiment or Corps in the same Branch of the Service, either within the United Kingdom or elsewhere; and every Soldier so transferred shall be deemed to be discharged from his former Corps, and shall have a Certificate of Transfer delivered to him; but any Soldier attested for the Infantry or Commissariat Staff Corps or Military Store Staff Corps, and at his own Request transferred to the Cavalry, Artillery, or Engineers, shall be bound to serve for the full Term of such Service as if originally enlisted therein, and any Soldier at his own Request transferred from either of such before-mentioned Services to the Infantry or Commissariat Staff Corps or Military Store Staff Corps shall be liable to serve for the Term of his original Enlistment: Provided always, that any Soldier who may have volunteered for the Corps of Armourer Sergeants, or for the Army Hospital Corps, shall be liable, by Order of the Military Authorities above mentioned, to be re-transferred to his former Corps, or to any other Corps on the Station on which he is serving at the Time, for Misconduct, Unfitness, or any other reasonable Cause: Provided also, that any Staff Clerk or other Non-commissioned Officer or Soldier

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on the Staff of the Army may be transferred to any Corps serving at the Station at the Time of his Removal from Staff Employ: Provided also, that upon the Conviction by Court-martial of any Soldier of the Crime of Desertion, the Officer commanding in chief Her Majesty's Forces may, and if the Court-martial has been held at a Foreign Station the Officer commanding in chief Her Majesty's Forces at such Foreign Station may, order such Soldier to serve in any Regiment or Corps.

Re-engagement of Soldiers for a further Term.

55. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or after the Completion of such Term, with the Consent of his Commanding Officer, or any Person having been a Soldier, and having received his Discharge, may, if approved by competent Military Authority as a fit Person for Her Majesty's Service, be re-engaged to serve for the further Term of Eleven Years in the Infantry or Commissariat Staff Corps or Military Store Staff Corps, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-engaging in Her Majesty's Service; and on the Expiration of the Second Term of limited Service for which any Soldier shall have engaged, the said Second Term of limited Service may be prolonged for such further Time, not exceeding Two Years, as shall be directed by the Commanding Officer of the Station where such Soldier may be at the Time of the Expiration of such Service; and any Soldier who shall give Notice to his Commanding Officer, after completing his Second Term of limited Service, that he is desirous of continuing in Her Majesty's Service, and being approved by competent Military Authority, may be continued in such Service as a Soldier so long as he shall desire to be so continued, and until the Expiration of Three Calendar Months after he shall have given Notice to his Commanding Officer of his Wish to be discharged, and for that Purpose shall be considered in all respects during such Time as if his Term of Service were still unexpired: Provided always, that in reckoning Service under the original Enlistment or Re-engagement of a Soldier the Boon Service granted by the Governor General of *India*, dated Twelfth of *October* One thousand eight hundred and fifty-nine, shall be reckoned as actual Service, and allowed towards Pension and Discharge: Provided also, that every Soldier now serving who belonged to the Garrison which defended *Lucknow*, or to the Garrison which defended the *Alumbagh*, before the Advance of any Portion of the

Boon Service to be reckoned.

Forces under the late Lord *Clyde* in One thousand eight hundred and fifty-seven, shall be allowed to reckon One Year's Service towards the Performance of his limited Engagement, and also towards Pension on Discharge: Provided also, that every Soldier who volunteered into Her Majesty's Army from any embodied Regiment of Militia subsequently to the Thirty-first of *December* One thousand eight hundred and fifty-five, or during the last Week of the training of his Regiment in the Year One thousand eight hundred and fifty-eight, and who had rendered previous to volunteering Six Months embodied or disembodied Militia Service, shall be allowed to reckon towards Good-conduct Pay and Pension, and towards the Completion of his limited Engagement of Service in Her Majesty's Army, Half the embodied Service which he had rendered in the Militia after attaining the Age of Eighteen.

Enlistment of Negroes.

56. All Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service, shall, while serving, be deemed to be Soldiers legally enlisted into Her Majesty's Service, and be entitled to all the Privileges of natural-born Subjects; and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

57. Any Person duly bound as an Apprentice in *Great Britain* or *Ireland*, or as an indentured Labourer in any of Her Majesty's Colonies or Possessions abroad, who shall enlist as a Soldier in Her Majesty's Army, and shall falsely state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice or indentured Labourer as aforesaid, shall be deemed guilty of obtaining Money under false Pretences, if in *England* or in *Ireland*, or in the Colonies or Possessions aforesaid, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, or of his Indenture as a Labourer, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in Her Majesty's Army according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship, or of his Indenture as a Labourer, he shall not deliver himself up to some Officer authorized to receive Recruits, such Person may be taken as a Deserter from Her Majesty's Army; and no Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's Army, or shall be serving in the Embodied Militia, unless

Claims of Masters to Apprentices.

unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and shall produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Five Years, not having been above the Age of Fourteen when so bound, and, if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him specifying the Date when and the Person by whom such Contract or Indenture was so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Five or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

Punishment of Apprentices enlisting.

58. No Apprentice or indentured Labourer claimed by his Master as aforesaid shall be taken from any Corps or Recruiting Party, except under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice or indentured Labourer shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof

thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice or indentured Labourer; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the County, Division, or Place for which such Justice is acting, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of such County, Division, or Place, unless the Court shall for just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justice that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice or indentured Labourer may deliver him to his Master.

Removal of Doubts as to Attestation of Soldiers.

59. No Person who shall, for Six Months either before or after the passing of this Act, have received Pay and been borne on the Strength and Pay List of any Regiment or Corps, or Depôt or Battalion of a Regiment or Corps (of which the last Quarterly Pay List, if produced, shall be Evidence), shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever, but, on the contrary, every such Person shall be deemed to have been duly enlisted and attested.

Authorized Deductions only to be made from the Pay of the Army.

60. No Secretary of State for the War Department, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or any of their under Officers, shall receive any Fees or make any Deductions whatsoever out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and sixty-seven, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be authorized or required by Her Majesty's Regulations or Articles of War, or by Statute Twenty-six and Twenty-seven *Victoria*, Chapter Sixty-five, Section Eight (Volunteer Act), or by Her Majesty's Order signified by the Secretary of State for the War Department; and every Paymaster or other Officer who having received any Officer's or Soldier's Pay shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by

by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, shall, if he demand it, be discharged from any further Service.

Suspending Operation of certain Acts herein recited.

61. And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted and declared, that the People of the Land are not by the Laws to be burdened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billeting whatsoever: And whereas by an Act passed in the Parliament of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, Section Eight, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard or Battle-axes, nor any Officer commanding the said Yeomen, nor any Servant of any such Officer, should at any Time thereafter have, receive, or be allowed any Quarters in any Part of *Ireland*, save only during such Time or Times as he or they should be on their March as in the same Act is before mentioned, or during such Time as he or they should be and remain in some Seaport Town or other Place in the Neighbourhood of a Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army, or any considerable Part thereof, should be commanded to march from one Part of *Ireland* to another: But forasmuch as there is and may be Occasion for the marching and quartering of Regiments, Corps, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, the said several Provisions of the said recited Acts shall be suspended and cease to be of any Force or Effect during the Continuance of this Act.

6 Anne, c. 14. s. 8. (I.)

Certain Requirements of 6 Anne, c. 14. (I.), as to billeting

62. And whereas by the Eleventh Section of the said Act of the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, it is provided and enacted, that no Civil Magistrate or Constable should be obliged

in Ireland not now necessary.

obliged to find Quarters for or give Billets to more or other Soldiers than those only whose true Christian and Surnames should be delivered to him in Writing under the Hand of the Officer desiring Quarters or Billets for such Soldiers at the Time such Quarters or Billets should be desired, and that all such Names should be written together and delivered in One Piece of Paper, signed as aforesaid, and that the Christian and Surnames of every Soldier to be quartered or billeted, together with the Name of the Person on whom he or they should be billeted or quartered, should be given in Writing by the Constable or Civil Officer billeting or quartering such Soldier, and be contained in the Billet given by such Civil Officer: And whereas it has been found inconvenient and difficult to comply with all the Requirements of the said Enactment: It shall not be necessary, so long as this Act shall continue in force, for any Officer, upon the Occasion of his requiring Quarters or Billets for any Soldiers in *Ireland*, to deliver to the Constable or other Person whose Duty it shall be to find or give the same any List of the Names of the Soldiers to be so quartered or billeted; and it shall not be necessary for the Constable or other such Person as aforesaid to set forth in any Billet the Name of any Soldier to be billeted or quartered, but only the Number of the Soldiers, or the Number of the Soldiers and Horses respectively, as the Case may require, to be billeted or quartered on the Person named in the Billet, and to whom the same shall be addressed.

How and where Troops may be billeted.

63. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service, and Out-pensioners when assembled as a local Force by competent Authority, and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* shall also be furnished with Diet and Small Beer, and in *Great Britain* and *Ireland* with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-

herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route, Care being always taken that Billets be made out for the less distant Houses, in which suitable Accommodation can be found, before making out Billets for the more distant; and in all Places where Cavalry shall be billeted in pursuance of this Act, each Man and his Horse shall be billeted in One and the same House, except in case of Necessity; and, except in case of Necessity, One Man at least shall be billeted where there shall be One or Two Horses, and Two Men at least where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March, in the Manner required by this Act, upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether they be in the same or in a different County, in like Manner in every respect as if such Houses were all locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Corps, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables, and who are by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men or Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper

Allowance

Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or to enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging where he shall be duly billeted.

Billeting the Guards in and near Westminster.

64. The Officers and Soldiers of Her Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster* and Places adjacent, lying in the County of *Middlesex* (except the City of *London*) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constables shall, on Receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionably on the Houses subjected thereto by this Act; and the said Constables shall, at every General Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace for the Inspection of all Persons without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists upon being paid Twopence *per* Sheet for the

the same, each Sheet to contain at the least One hundred and fifty Words.

Military Officers not to act as Justices in billeting.

65. No Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Corps, Troop, or Company under the immediate Command of such Justice, and all Warrants, Acts, and Things made, done, and appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

66. The Innholder or other Person on whom any Soldier is billeted in *Great Britain* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Soldiers may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain* and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *Great Britain* or *Ireland* for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Regiment, Detachment, or Party shall, every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Soldiers, or Horses are billeted, out of the Pay and Subsistence of such Officers and Soldiers before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of

the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary of State for the War Department is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Agent of the Regiment or Corps to pay the Sums due to such Victuallers or other Persons as aforesaid, and to charge the same against such Officers; and in case any Soldier be suddenly ordered to march, and the respective Commanding Officers or Non-commissioned Officers are not enabled to make Payment of the Sums due for the Lodging or Victualling of the Men and Stabling or Forage for the Horses, every such Officer or Non-commissioned Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted by such Officer or Non-commissioned Officer to the Agent of the Regiment or Corps, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer or Non-commissioned Officer.

Interpretation of Act.

67. All Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Powers and Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin, by Retail, in *Great Britain* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary: Provided that no Officer or Soldier shall be billeted in *Great Britain*

Powers and Regulations as to Billets.

Exemptions from Billets.

in

in any private Houses, or in any Canteen held or occupied under the Authority of the War Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Supply of Carriages.

68. For the regular Provision of Carriages for Her Majesty's Forces, and their Baggage, in their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from Her Majesty, or the General of Her Forces, or other Person duly authorized in that Behalf, shall, on Production to them of such Order, or a Copy thereof, certified by the Commanding Officer, by some Officer or Non-commissioned Officer of the Regiment or Corps so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which List shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constable within his Jurisdiction to give

give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be paid for Carriages, and Regulations relating thereto.

69. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *Great Britain*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile any other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *Great Britain* such further Rates may be added, not exceeding a total Addition *per* Mile of Fourpence, Threepence, or Twopence, to the respective Rates of One Shilling, Ninepence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder at the Sessions of the Peace of any Municipal City, Borough, or Town; and the Order of such Justices or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of State for the War Department within Three Days after the making thereof; and also in *Great Britain* when the Day's March shall exceed Fifteen Miles the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *Great Britain*, pay the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and in *Ireland* the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made,

made, if required, in the Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *Great Britain*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to Her Majesty's Service; provided that a Cart with One or more Horses for which the Furnisher shall receive Ninepence a Mile shall be required to carry Fifteen Hundredweight at the least; and no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin* who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

As to Supply of Carriages in Cases of Emergency, &c.

70. It shall be lawful for Her Majesty, or for the Lord Lieutenant or Chief Governor of *Ireland*, by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary of State for the War Department, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *Great Britain* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person

and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, or by any Officer of the War Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on such Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment, Corps, or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Justices empowered to reimburse Constables for Sums expended by them.

71. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall direct such Payments to be made out of the Rogue Money and Assessments directed and authorized to be assessed and levied by an Act of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

72. It

Routes in Ireland.

72. It shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of Her Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

73. All Her Majesty's Officers and Soldiers, on Duty or on their March, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying any such Persons as aforesaid, or their Baggage, or returning from conveying the same, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order, or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Ferries.

74. When any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

75. Every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require, to *Great Britain* or *Ireland* free of Expense, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

76. Nothing

Ordinary Course of Criminal Justice not to be interfered with.

Punishment of Officers obstructing Civil Justice.

76. Nothing in this Act contained shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony, or of Misdemeanor, or of any Crime or Offence other than the Misdemeanors and Offences herein-before mentioned; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Commanding Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, or in any Court of Record in *India*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland* or in Her Majesty's Service; and a Certificate of such Conviction, containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

Penalty for Disobedience by Agents.

77. For enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, the said Agents are hereby required to observe such Orders as shall from Time to Time be given by Her Majesty under Her Sign Manual, or by the Secretary of State for the War Department, or by Her Majesty's Lord Lieutenant or Chief Governor of *Ireland*, or by the Lord Treasurer or the Commissioners of Her Majesty's Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier for a longer Period than the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds, and, if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter, or, if he have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty on trafficking in Commissions.

78. Every Person, not being an authorized Army Agent, who shall negotiate or act as Agent for or in relation to the Purchase, Sale, or Exchange of any Commission in Her Majesty's Army, shall forfeit

forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized as an Army Agent or not, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or who shall negotiate or receive for any Purpose whatsoever any Money or Consideration where no Price is allowed by Her Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and treble the Value of the Consideration where the Commission is not allowed to be sold, or treble the Excess of such Consideration beyond the regular Price.

Penalty for procuring false Musters.

79. Every Person, not having any Military Commission, who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Conviction before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit for every such Offence the Sum of Twenty Pounds; and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

80. Every Person (except such Person or Persons as shall be authorized by Beating Order under the Hand of the Secretary of State for the War Department) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or Her Majesty's *Indian* Forces, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Secretary of State in Council of *India*, (as the Case may be,) shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty for inducing Soldiers to desert.

81. Any Person who shall in any Part of Her Majesty's Dominions, or by any Means whatsoever, directly or indirectly, procure any Soldier to desert, or attempt to procure or persuade any Soldier to desert, and any Person who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist

such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justices shall think fit.

Penalty for forcible Entry in pursuit of Deserters without Warrant.

82. Any Officer or Soldier who shall, in pursuit of any Deserter, forcibly enter into or break open any Dwelling House or Outhouse, or shall give any Order under which any Dwelling House or Outhouse shall be forcibly entered into or broken open, without a Warrant from One or more Justices of the Peace, shall, on Conviction thereof before Two Justices of the Peace, forfeit a Sum not exceeding Twenty Pounds.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

83. If any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, in order to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be kept to Penal Servitude for any Term not less than Four Years and not exceeding Six Years, or be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules thereof, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison, to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or any other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, either with or without Hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence

Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding One Calendar Month, or, if the Offender be a Soldier already under Sentence of Imprisonment, he shall be liable for every such Offence, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, to be imprisoned, either with or without Hard Labour, for any Time not exceeding Six Calendar Months, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Fifty Lashes, or upon Conviction thereof by a single Visitor to be imprisoned, with or without Hard Labour, for any Time not exceeding Seventy-two Hours, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Twenty-five Lashes; or if such Soldier shall, within Forty-eight Hours of the Expiration of his original or of any additional Sentence, be guilty of any Offence against the Rules of the Prison, he may for every such Offence, on Conviction thereof by a Board or by a single Visitor, be ordered to be kept in Prison for a Period not exceeding Seventy-two Hours in either a dark or light Cell, and with or without Hard Labour or Solitary Confinement, on a Bread and Water Diet, or otherwise; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *Great Britain* shall be deemed to apply to all Military Prisons so far as any such Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by any such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for anything done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Acts for regulating Gaols to apply to Military Prisons.

84. Any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Penalty on Keepers of Prisons for refusing to confine, &c. Military Offenders.

85. Any

Penalty on purchasing Soldiers Necessaries, Stores, &c.

85. Any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person acting for or on his Behalf, on any Pretence whatsoever, or who shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell any Arms, Ammunition, Medals for good Conduct or for Distinguishment or other Service, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Medals, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with treble the Value of all or any of the several Articles of which such Offender shall so become or be possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term, not exceeding Six Calendar Months, as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the former Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove such former Conviction; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, such Justice may grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon such Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before the same or any other Justice of the Peace, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of any of Her Majesty's Foreign Dominions, on the Recommendation of the Officer or Officers for the Time being administering the Government thereof,

thereof, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty, if not exceeding Twenty Pounds, to such Amount as may to such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the Person or Persons administering the Government of any such Foreign Dominions as aforesaid, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer or Officers as aforesaid in respect of any other Law made or enacted by any such Legislature.

Penalties on Civil Subjects offending against the Laws relating to Billets.

86. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall wilfully cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw, in *Great Britain* and *Ireland* for each

Horse, in such Quantities and at such Rates as herein-before provided; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, on Duty or on their March, for themselves or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Soldier or a Recruit, with the view of fraudulently obtaining a Billet, or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

On Toll Collectors demanding Toll from Officers, Soldiers, or for Carriages;

and on Persons personating Soldiers, &c.

Penalties on the Military offending against the Laws relating to Billets.

87. If any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayor, Constable, or other Civil Officer, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do anything contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided that a Certificate of such Conviction shall be transmitted by One of the said Justices to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander-in-Chief and Secretary of State for the War Department, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, from any Person, any Money or Reward for excusing the quartering of Officers or Soldiers, or shall billet

billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier, in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day, if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in the Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on killing Game without Leave.

88. For the better Preservation of Game and Fish in or near Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, shall for every such Offence forfeit the Sum of Five Pounds.

Form of Actions at Law.

89. Any Action which shall be brought against any Person for anything to be done in pursuance of this Act shall be brought within Six Calendar Months after the doing thereof, and it shall be lawful for every such Person to plead thereunto the General Issue Not Guilty, and to give all special Matter in Evidence to the Jury; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited, or suffer any Discontinuance thereof, or if in *Scotland* such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs are by Law given to Defendants; and every Action against any Person for anything done in pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of anything done by virtue or in pursuance of such Sentence, shall be brought in some One of the Courts

Courts of Record at *Westminster*, or in *Dublin*, or in *India*, or in the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of Penalties.

90. All Offences for which any Penalties and Forfeitures are by this Act imposed not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by and before One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within* England *and* Wales, *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied, in *Scotland* and in *Ireland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles* or in any of Her Majesty's Dominions beyond the Seas may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster*, or in *Dublin*, or in *India*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of Penalties.

91. One Moiety of every Penalty, not including any Treble Value of any Articles, adjudged or recovered under the Provisions of this Act, shall, in the United Kingdom, go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence

Offence shall be proved by the Person who shall inform, the whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London*, and in *India* to the Military Secretary of the Government of the Presidency to which the Court by whom the Penalty shall be adjudicated shall be subject, to be at the Disposal of the Secretary of State for the War Department, anything in an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts, to the contrary notwithstanding; and every Justice in the United Kingdom who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the said Secretary of State, and in *India* the Court which shall adjudge any Penalty under this Act shall immediately report the same to the said Military Secretary. 5 & 6 W. 4. c. 76.

Mode of recording a Soldier's Settlement.

92. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in Her Majesty's Army, or on the Permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy thereof shall be at any Time admitted as good and legal Evidence of such last legal Settlement before any Justices or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required; provided also, that when no such Examination shall have been required, the Statement made by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Licences of Canteens.

93. When any Person shall hold any Canteen under proper Authority of the War Department, it shall be lawful for any Two Justices within their respective Jurisdictions to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their

proper Officers within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

Attestation of Accounts.

94. All Muster Rolls and Accounts and Pay and Pension Lists which are required to be verified by Declaration shall be so verified and attested free of Stamp Duty and without Fee or Reward paid for such Declaration or Attestation.

Commissaries, &c. to attest their Accounts.

95. All Commissaries, Regimental Paymasters, and all other Accountants for Military Services, Storekeepers, and Barrack Masters, upon making up their Accounts, and all Commissaries and Storekeepers upon returning from any Foreign Service, shall severally make the respective Declarations described in the Schedule to this Act annexed; which Declarations, if made in any Part of the United Kingdom, shall be made before some Justice, or other Person authorized to administer Oaths and Declarations, and if made on Foreign Service shall be made before the Officer commanding in chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General or any Assistant Quartermaster General of the Army, who shall respectively have Power to administer and receive the same.

Administration of Oaths.

Perjury.

96. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or other Person having Authority to administer Oaths and Declarations; and any Person taking a false Oath or Declaration where an Oath or Declaration is authorized or required by this Act shall be deemed guilty of wilful and corrupt Perjury, or of wilfully making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by Law any Person convicted of wilful and corrupt Perjury is subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury, or of wilfully making a false Declaration, shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act found guilty thereof by a General, District, or Garrison Court-martial shall be punished at the Discretion of such Court. In *India*, in all Cases where any Oath is hereby required to be taken, or any Person is hereby required to be sworn, a solemn Declaration or Affirmation may be substituted, if by the Laws for the Time being in force in *India* such Declaration or Affirmation would be allowed to be substituted in the Place of an Oath, in case the Party were about to depose as a Witness in a Civil Action in any of the Supreme Courts at the Presidencies: and any Person

Person wilfully and knowingly giving false Testimony on Oath or solemn Declaration or Affirmation in any Case wherein such Oath or solemn Declaration or Affirmation shall have been made for the Purpose of this Act, or any Proceedings under this Act, shall be deemed guilty of wilful and corrupt Perjury, and, being duly convicted thereof before a Court-martial or otherwise, shall be liable to such Pains and Penalties as by any Law in force in *England*, or by any Law in force in *India*, any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Offences against former Mutiny Acts and Articles of War.

97. All Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, or against any of the Articles of War made and established by virtue of either of the same, may, during the Continuance of this Act, be tried and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any such former Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant shall be continued, notwithstanding the Expiration of such Act: Provided always, that no Person shall be liable to be tried or punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Officers and Soldiers to conform to 26 & 27 Vict. c. 57., &c.

98. It shall be the Duty of all Officers and Soldiers to observe and conform to the Provisions contained in "The Regimental Debts Act, 1863," and in the Regulations for the better Execution of the Purposes of the said Act prescribed from Time to Time by Warrant under the Royal Sign Manual.

Where Troops are serving beyond the Jurisdiction of the Courts of Requests, &c., Actions of Debt not exceeding 400 Rupees to be cog-

99. In all Places in *India* where any Body of Her Majesty's Forces may be serving situate beyond the Jurisdiction of any Courts of Requests, or other Courts for enforcing small Demands, established at the Cities of *Calcutta*, *Madras*, and *Bombay* respectively, Actions of Debt, and all Personal Actions against Officers or against Persons licensed to act as Sutlers, or other Persons amenable to the Provisions of this Act not being Soldiers, shall be cognizable before a Court of Requests composed of Military Officers,

nizable by a Military Court.

Officers, and not elsewhere, provided the Value in question shall not exceed Four hundred Rupees, and that the Defendant was a Person of the above Description when the Cause of Action arose, which Court the Commanding Officer of any Camp, Garrison, Cantonment, or Military Post is hereby authorized and empowered to convene; and the said Court shall in all practicable Cases consist of Five Commissioned Officers, and in no Instance of less than Three, and the President thereof shall in all practicable Cases be a Field Officer, and in no Case be under the Rank of a Captain, and every Member shall have served Five Years as a Commissioned Officer; and the President and Members assisting at any such Court, before any Proceedings be had before it, shall take the following Oath, which Oath shall be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the Oath; (that is to say,)

Composition and Constitution of the Court prescribed.

President, &c. of Court to take the following Oath.

'I swear, That I will duly administer Justice
'according to the Evidence in the Matters that shall be brought
'before me. So help me GOD.'

Powers of such Court defined.

And all Witnesses before any such Court shall be examined in the same Manner as in the Case of a Trial by Court-martial; and it shall be competent for such Court, upon finding or awarding any Debt or Damage, either to award Execution thereof generally, or to direct specially that the whole or any Part thereof shall be stopped and paid over to the Plaintiff out of any Part not exceeding One Half of any Pay or Allowance, or out of any other Public Money which may respectively be coming to the Defendant in the current or any future Month or Months, or to direct the same to be so paid by Instalments; and in all Cases where the Execution shall be awarded generally the Debt, if not paid forthwith, shall be levied by Seizure and public Sale of such of the Defendant's Goods and Property as may be found within the Camp, Garrison, Cantonment, or Military Post, under a written Order of the Commanding Officer, grounded on the Judgment of the Court; and all Orders of such Commanding Officer as to the Manner of such Sale, or the Person by whom the same shall be made, or otherwise respecting the same, shall be valid and binding; and any Goods and Property of the Defendant found within the Limits of the Camp, Garrison, Cantonment, or Military Post to which the Defendant shall belong at any subsequent Time shall be liable to be seized and sold in like Manner in satisfaction of any Remainder of such Debt or Damages; and if any Question shall arise whether any such Effects or Property are liable to be taken in Execution as aforesaid, the Decision and Order of the said Commanding Officer shall be final and conclusive with respect to the same, and if sufficient Goods shall not be found within the Limits

of

of the Camp, Garrison, Cantonment, or Military Post, then any Public Money or any Part not exceeding One Half of the Pay or Allowances accruing to the Defendant shall be stopped in liquidation of such Debt or Damages; and if such Defendant shall not receive Pay as an Officer or from any Public Department, but be a Sutler, Servant, or Follower, he may be arrested by like Order of the Commanding Officer, and imprisoned in some convenient Place within the Military Boundaries for any Period not exceeding Two Months, unless the Debt be sooner paid; and the said Commanding Officer shall not, nor shall any Person acting on his Orders in respect of the Matters aforesaid, incur any Liability to any Person or Persons whomsoever for any Act done by him in pursuance of the Provisions aforesaid; and in Cases where the said Court shall direct specially that the whole or any Part of the Debt or Damages shall be stopped and paid out of Part of any Pay or Allowances, or out of any Public Money, the same shall be stopped and paid accordingly in conformity with such Direction: Provided always, that nothing herein-before contained shall enable any such Action as aforesaid to be brought in the said Court by any Officer or Soldier against any Officer.

Provisions relating to Courts-martial on Officers and Soldiers of Her Majesty's Indian Forces.

100. Whenever any Court-martial may be held in *India* by virtue of this Act on any Officer or Soldier of Her Majesty's *Indian* Forces, there shall sit on such Court-martial One or more Officer or Officers of Her Majesty's said *Indian* Forces, if the Attendance of such Officer or Officers can be conveniently had, and if the Attendance of no such Officer or Officers can be conveniently had, then the Officer convening such Court-martial shall specify the same in his Warrant or Order convening the Court-martial; and the Government of any of the Presidencies in *India* may suspend the Proceedings of any Court-martial held in *India* on any Officer or Soldier belonging to Her Majesty's *Indian* Forces within such Presidencies respectively; and if any Officer belonging to Her Majesty's *Indian* Forces shall think himself wronged by the Officer commanding the Regiment, and shall upon due Application made to him not receive the Redress to which he may consider himself entitled, he may complain to his Commander-in-Chief in order to obtain Justice, who is hereby required to examine into such Complaint, and thereupon, either by himself or by his Adjutant General, to make his Report to the Government of the Presidency to which such Officer belongs, in order to receive the further Directions of such Government: Provided that no Officer of Her Majesty's *Indian* Forces aforesaid who may have joined or may join either of the Staff Corps formed in the several Presidencies of *India* under the Warrant of Her Majesty bearing Date the Sixteenth Day of *January* One thousand eight hundred and sixty-one, constituting the said Corps, and no Officer or Soldier of Her Majesty's

Proviso.

Indian Forces aforesaid who shall have volunteered or may volunteer to join Her Majesty's General Military Service, shall be deemed to be an Officer of Her Majesty's *Indian* Forces for the Purposes of this Section.

As to Trial of Officers and Soldiers serving in India.

101. Any Officer or Soldier, or other Person subject to this Act, who shall be serving in the Territories of any Foreign State in *India* or in any Country in *India* under the Protection of Her Majesty, or at any Place in Her Majesty's Dominions in *India* (other than *Prince of Wales Island*, *Singapore*, or *Malacca*), at a Distance of upwards of One hundred and twenty Miles from the Presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, and who shall be accused of having committed Treason or any other Crime which, if committed in *England*, would be Felony, may be tried by a General Court-martial, to be appointed by the General or other Officer commanding in chief in such Place for the Time being, and, if found guilty, shall be liable to be sentenced by such Court-martial to suffer such Punishment as might legally have been awarded by any of Her Majesty's Courts of ordinary Criminal Jurisdiction within Her Majesty's Dominions in *India* in respect of an Offence of a like Nature and Degree, and committed within the Jurisdiction of such last-mentioned Court; but no Sentence of a General Court-martial for any such Offence shall be carried into execution until the same shall have been duly confirmed; and it shall be lawful for such General or other Officer commanding in chief as aforesaid to confirm the Sentence of any such General Court-martial; and such General or other Officer as aforesaid may, if he shall think fit, suspend, mitigate, or remit the Sentence; or, in the Case of a Sentence of Penal Servitude, may commute the same to Imprisonment, with or without Hard Labour, for such Period as to him shall seem fit: Provided always, that in all Cases wherein a Sentence of Death or Penal Servitude shall have been awarded by any such General Court-martial held for the Trial of a Commissioned Officer, or where a Sentence of Death shall have been awarded by any such General Court-martial held for the Trial of any Person subject to this Act other than a Commissioned Officer, such Sentence shall not be carried into execution until it shall have been duly approved by the Governor General in Council, or Governor in Council of the Presidency in the Territories subordinate to which the Offender shall have been tried: Provided also, that any Person who may have been so tried as aforesaid shall not be tried for the same Offence by any other Court whatsoever.

Duration of this Act.

102. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and

and sixty-seven inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-eight; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-seven inclusive until the First Day of *May* One thousand eight hundred and sixty-eight; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-seven inclusive until the First Day of *August* One thousand eight hundred and sixty-eight; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty-seven inclusive until the First Day of *September* One thousand eight hundred and sixty-eight; and shall be and continue in force in *India*, and within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-eight inclusive until the First Day of *January* One thousand eight hundred and sixty-nine; and shall be and continue in force within *British Columbia* and *Vancouver's Island* from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-nine; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-nine inclusive until the First Day of *February* One thousand eight hundred and seventy: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment" *any Words may be substituted which are applicable to the Case*], and if you do not come to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representation at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. }

* A.M. or P.M. as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I am not a Widower; [*or* that I am a Widower, and that I have (*or* have not) Children;] that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter

Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me, and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment" *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

Note (*a*), (*b*), (*c*). These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand, _____ *Signature of Recruit.*

_____ *Witness present.*

The above Declaration and Oath were made before me at this Day of One thousand eight hundred and at o'Clock.

Signature of Justice _____

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in Captain Company in the Regiment [*the foregoing Portion of this Declaration may be altered to suit each particular Case*]; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, for a further Term of Years [*to be filled up with Eleven Years in the Infantry, or Twelve in the Cavalry, or Nine in the Artillery or Engineers, and, in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Artillery, Engineers, and Infantry, or Twenty-four in the Cavalry*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me _____ the _____ Day of _____ 18 __.

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make Oath, That I am by Trade a and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and

---

FORM

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's Colonies or Possessions has absconded.

I of do make Oath, That was bound to me to serve as an indentured Labourer by Indenture dated the Day of for the Term of Years, and that the said did on or about the Day of abscond and quit my Service without my Consent.

Witness, *&c.* [*as for Apprentice.*]

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of and made Oath that was bound to serve as an indentured Labourer to him by Indenture dated the Day of for the Term of Years, and that the said indentured Labourer did on or about the Day of abscond and quit the Service of the said without his Consent.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S or PURVEYOR'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other Person

Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than Public Purposes, according to the Duty of my Office.

Declared before me by the within-named
this Day of
Justice of the Peace of
or *Commander-in-Chief*, or *Second in Command, et cætera, the Army serving in* *et cætera* [*as the Case may be*].

FORM of DECLARATION of ATTESTATION of a STOREKEEPER'S ACCOUNTS.

I , Storekeeper at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Sale of old Stores, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare, that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever beyond my Salary and authorized Allowances, except the trifling Advantage which may have arisen in respect to the fractional Parts of a Penny in the Totals of the Pay Lists, as sanctioned by the Regulations of 19th December 1832 $\frac{8}{1176}$ (See Art. 246, at Page 65, of Home Regulations); and I further solemnly declare, that the several Sums of Money for which I have taken Credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

_____,
Storekeeper at _____.

Declared before me at
this Day of 18

_____,
Magistrate for _____.

FORM

FORM of DECLARATION of ATTESTATION of a BARRACK MASTER'S ACCOUNTS.

I , Barrack Master of the Barracks at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Damages, and Deficiencies, washing Sheets, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare, that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever from or on account of the Purchase or Issue of any of the Articles for the Service of the said Barracks, nor have I any Property in Lands, Houses, Tenements, or any Article used or employed in the Service of the War Department; and I further solemnly declare, that the several Sums of Money for which I have taken Credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

_____,

Barrack Master at _____.

Declared before me at
this Day of 18

_____,

Magistrate for _____.

FORM of DECLARATION of ATTESTATION of a PAYMASTER'S ACCOUNTS.

I do solemnly and sincerely declare, That the foregoing Pay List of the Regiment of , for the Period ended 186 , contains Charges of Pay for only such Non-commissioned Officers, Drummers, Fifers, Buglers, and Privates as were effective and entitled to Pay during, and regularly mustered at, the Periods set against their Names; that all those Men who were not present at the respective Musters taken by me on the , the , and the have the true Reasons of their Absence stated against their Names; and that every Absence affecting the Pay or Allowances of such Men which occurred between the respective Musters is properly accounted for.

Also, that the List of Commissioned Officers prefixed to the said Pay List contains a true and just Statement of the Names of all the Commissioned Officers who have been effective and entitled to Pay as belonging to the said Regiment for the Periods therein set down against their respective Names; also, that all the Remarks opposite to their Names on the Muster Roll have been correctly copied therein; and that the Sum debited in the General State of this Pay List for the Pay of Officers has been actually received by me and paid to them respectively.

Also, that the whole of the Sums debited in this Pay List and Account, amounting to , have been actually and bonâ fide disbursed by me in conformity with the established Regulations, and that the total Sum received, drawn for, or required to be remitted for the several Services therein charged, including every Receipt whatever, for which I am required to give Credit in these Accounts, is .

Also, that the Statement at the Foot of this Page contains a full and correct List of all Abstracts of Examination, and of all Decisions on Abstracts of Examination, of the Pay List of this Regiment received between the of 186 (the Date of the last Pay List transmitted to the War Office being that for the Period ended the 186) and the of 186 , the Date of this Pay List.

Also, that the total Amount of the Sums disallowed in the said Decisions is credited in this Pay List, in conformity with Article 21 of the explanatory Directions, dated the 1st July 1848.

Also, that to the best of my Knowledge and Belief, both my Sureties are now living; that the Property of each is at least double that for which he is Surety; and that they respectively reside at the Places under mentioned.

Names of Sureties.	Places of Residence.

_____ *Paymaster.*

Declared and subscribed before me, at this Day of 186 . } _____ *Justice of the Peace for* _____

Witnesses { _____ *Commanding Officer.* / _____ *Adjutant.*

FORM

FORM of DECLARATION of ATTESTATION of the ACCOUNTS of a MILITARY ACCOUNTANT.

I HEREBY solemnly and sincerely declare, That this Account, comprised in Folios, is just and true, according to the best of my Knowledge, Information, and Belief; and I make this Declaration, conscientiously believing the same to be true.

_____ *Military Accountant.*

Declared before me, at this Day of 18 . } _____ *Justice of the Peace for* _____.

Mutiny.

No. .

DESCRIPTION RETURN of who was apprehended [*or "surrendered himself," as the Case may be,*] on the Day of and was committed to Confinement at on the Day of as a Deserter from [*insert Regiment or Corps*].

Age - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - -	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place.	
Name and Occupation and Address of the Person by whom or through whose Means the Deserter was apprehended and secured.	
* Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds.	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

———— *Signature and Address of Magistrate.*
———— *Signature of Prisoner.*
———— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

———— *Signature of Military Medical Officer, or of § Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and, if unfit, state the Cause of Unfitness.

§ No Fee will be allowed to a private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

****

CAP. XIV.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[12th *April* 1867.]

WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in Her Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of Her Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of Her Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it being requisite for the retaining of such Forces in their Duty that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of any other Crime or Offence in breach of or to the Prejudice of good

Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Lord High Admiral, &c. to make Articles for the Punishment of Mutiny, Desertion, &c.

1. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to make, ordain, alter, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and for regulating the Proceedings of Courts-martial, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or within the *British Isles* shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which may be inconsistent with the Provisions of this Act.

As to Offences against former Mutiny Acts and Articles of War.

2. All Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of

of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Limitation as to Time.

3. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for Good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Provisions of this Act to extend to Jersey, &c.

4. Nothing in this Act contained shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony or Misdemeanor, or of any Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any

The ordinary Course of Law not to be interfered with.

any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

No Person tried by Civil Power to be punished by Court-martial for same Offence except by cashiering, &c.

5. No Person subject to this Act having been acquitted or convicted of any Crime or Offence by the Civil Magistrate or by the Verdict of a Jury shall be liable to be again tried for the same Crime or Offence by a Court-martial, or to be punished for the same otherwise than by cashiering in the Case of a Commissioned Officer, or in the Case of a Warrant Officer by Reduction to an inferior Class, or to the Rank of a Private Marine, by Order of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or in the Case of a Non-commissioned Officer, by Reduction to the Ranks, by Order of the Commandant of the Division to which such Non-commissioned Officer may belong; and whenever any Officer or Marine shall have been tried before a Court of ordinary Criminal Jurisdiction, the Clerk of the Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Division to which such Officer or Marine belongs, transmit to him a Certificate containing the Substance and Effect only, omitting the formal Part, of the Indictment, Conviction, and Entry of Judgment thereon or Acquittal of such Officer or Marine, and shall be allowed for such Certificate a Fee of Three Shillings.

Marines to be subject to the Discipline of the Navy while on board Ship.

6. All of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of or be on board any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy for the Time being, and shall and may be proceeded against and punished for Offences committed by them whilst so borne or on board, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations,

Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore; and with or without any Commission or Warrant from the said Lord High Admiral or the said Commissioners for that Purpose, the Officer commanding in chief or commanding for the Time being any such Marine Officers or Marines shall have Power and Authority to convene, and to authorize any Officer to convene, Courts-martial under this Act, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships or otherwise shall commit any Offence for which he shall not be amenable to a Naval Court-martial, he may be tried and punished for the same in the same Manner as other Officers or Marines may be tried and punished for the like Offences under the Authority of this Act; or if the Commissioners for executing the Office of Lord High Admiral aforesaid so direct, he may be so tried and punished for any Offence committed by him on shore, whether he be or be not amenable to a Naval Court-martial for the same.

Power to Lord High Admiral, &c. to grant Commissions for holding General Courts-martial, &c.

7. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing Offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British Isles* as in any of Her Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command, or before or after any such Commission or Warrant shall be granted, provided that the Officer so authorized be not below the Degree of a Field Officer, except in detached Situations beyond Seas, where a Captain may

Place where Offenders may be tried.

be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Power of General Courts-martial.

8. Every General Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer of Marines or Marine to suffer Death, Penal Servitude, Imprisonment, Forfeiture of Pay or Pension, or any other Punishment which shall accord with the Usage of the Service; but no Sentence of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein. No Sentence of Penal Servitude shall be for a Period of less than Five Years, and no Sentence of Imprisonment shall be for a Period longer than Two Years.

Powers of District or Garrison Courts-martial.

9. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Divisional and Detachment Courts-martial.

10. A Divisional or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it be found impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment or to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Transport Ships, &c.

11. In Cases of Mutiny and Insubordination accompanied with personal Violence or of other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, or Merchant Vessel, the Offender may be tried by a Divisional or Detachment Court-martial, and the Sentence may be confirmed and carried into execution on the Spot by the Officer in immediate Command, provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award.

12. It

Powers of Detachment General Courts-martial.

12. It shall be lawful for any Officer commanding any Detachment or Portion of Her Majesty's Royal Marine Forces, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any Country in which Her Majesty's Royal Marine Forces are so serving by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Detachment General Court-martial, which shall consist of not less than Three Commissioned Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Detachment Court-martial shall be executed until the Officer commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

13. When it is necessary or expedient, a Court-martial composed exclusively of Officers of the Royal Marines, or a Court-martial composed of Officers of Her Majesty's Army, or of Her Majesty's *Indian* Army, or of both or of either, together with Officers of the Royal Marines, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces, may try a Person belonging to any One of the said Three Services; provided that when the Person to be tried shall belong to Her Majesty's Royal Marine Forces, then the Provisions of this Act, or of such Act as shall be then and there in force for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein respectively prescribed, and the Rules and Articles of War relating to the Royal Marines then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; but where the Person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's *Indian* Army, and be within the United Kingdom, then the Proceedings of such Court shall be regulated as if the Court were composed of Officers of Her Majesty's Army only, and the Provisions of the Act then and there in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, and the Rules and Articles of War relating to Her Majesty's Army then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; and where the Person to be tried shall belong to Her Majesty's *Indian* Army, and be out of the United Kingdom, the Provisions of such Act or Acts as shall be then and there in force for punishing Mutiny and Desertion of Officers and Soldiers in Her Majesty's *Indian* Army, and

and the Rules and Articles of War, if any, relating to such Officers and Soldiers then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto.

If no Superior Officer of Land Forces is present in Command of a District, &c., an Officer of Marines may convene a Court-martial.

14. Provided there be no Superior Officer of Her Majesty's Land Forces present in Command of a District, Garrison, Station, or Place where Marines may be serving, it shall be lawful for any Officer of the Royal Marine Corps of the Degree of a Field Officer, and holding a Commission from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for that Purpose, but not otherwise, to convene or assemble a District or Garrison Court-martial, to be composed as before stated, and for such Court to proceed to try any Marine or Marines below the Rank of Commissioned Officer for any of the Offences cognizable by a District or Garrison Court-martial; but the Sentence so awarded by any such Court shall not be carried into effect until the Senior Officer of the Royal Marines in the District, Garrison, Station, or Place, not being a Member of the Court, shall have confirmed the same: Provided always, that if there be any such Superior Officer of Her Majesty's Land Forces present in Command of the District, Garrison, Station, or Place where Marines may be, in such Case it shall be lawful for him to convene or assemble such District or Garrison Court-martial for the Trial of any Marine or Marines below the Rank of a Commissioned Officer, and for such Court-martial to try any such Marine or Marines in conformity with the Provisions of this Act and the Articles of War to be made in pursuance hereof; but the Sentence which may be awarded by any such Court which may be convened or assembled by any such Superior Officer shall not be carried into effect until such Superior Officer shall have confirmed the same.

President of Courts-martial.

15. The President of every Court-martial shall be appointed by or under the Authority of the Officer convening such Courts, and shall in no Case be the confirming Officer, or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned, nor, in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Divisional or Detachment Court-martial holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions the Officer convening such Court may be the President thereof.

16. In

Proceedings at Trial.

16. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President, such Objection, unless allowed by Two Thirds at least of the other Officers appointed to form the Court, shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

17. All General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested; or if such Court be not sitting, then by any Judge of the

Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to, attending upon, or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or not produce the Documents being under their Power or Control required to be produced by them, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, Sheriff or Stewart Courts in *Scotland*, or in the Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness had, after being duly summoned or subpœnaed, neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

No Second Trial, but Revision allowed.

18. No Officer or Marine who shall be acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

Crimes punishable with Death.

19. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subjected to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces,

or

or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or shall conspire with any other Person to cause a Mutiny, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall sleep on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert from Her Majesty's Royal Marine Forces; every Person so offending in any of the Matters before mentioned, whether such Offence be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts upon Land or upon the Sea, shall suffer Death or Penal Servitude or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Marine in Pay in any Division or Company who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Division or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Commutation of Death for Penal Servitude or Imprisonment, &c.

20. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Commanding Officer having Authority to confirm Sentence, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude for any Term not less than Five Years, or

or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

Embezzlement punishable by Penal Servitude, Imprisonment, &c.

21. Any Officer or Marine, or any Person employed or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to any of Her Majesty's Forces or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Five Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks, if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained; and in every such Case the Court is required to ascertain by Evidence the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

As to Execution of Sentences of Penal Servitude in the United Kingdom.

22. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making

making any such Orders in relation to Penal Servitude of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to be kept in Penal Servitude shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on condition of Penal Servitude; and from the Time when such Order of Penal Servitude shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape or the returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland* to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England*, and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England*, and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England*.

23. When-

As to Execution of Sentences in the Colonies.

23. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any other Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or the Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced or where he may come or be as aforesaid in obedience to the Directions for the Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall, according to such Directions, undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony or in the Colony or Place to which he has been so removed or sent respectively.

Sentence of Penal Servitude may be commuted for Imprisonment.

24. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for such Term not exceeding Two Years as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

25. Where

Of Forfeitures, when combined with Penal Servitude.

25. Where an Award of any Forfeiture, or of Deprivation of Pay, or of Stoppages of Pay shall have been added to any Sentence of Penal Servitude, it shall be lawful for the said Lord High Admiral or the said Commissioners, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted as may be deemed expedient.

Disposal of Convict after Sentence of Penal Servitude.

26. When any Sentence of Death shall be commuted for Penal Servitude, or when any Marine shall by Court-martial be adjudged to Penal Servitude as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem*, or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to inflict Corporal Punishment in certain Cases.

27. Any Court-martial may sentence any Marine to Corporal Punishment for Mutiny, or for Insubordination accompanied with personal Violence; and, save as aforesaid and as herein-after mentioned, no Court-martial shall have Power to sentence any Marine to Corporal Punishment: Provided, that any Court-martial may sentence any Marine to Corporal Punishment while on active Service in the Field, or on board any Ship not in Commission, for Mutiny, Insubordination, Desertion, Drunkenness on Duty or on the Line of March, disgraceful Conduct, or any Breach of the Articles of War; and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

28. It

Power to inflict Corporal Punishment and Imprisonment.

28. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed herein-after or by the Articles of War, and in case of a Marine in addition to Corporal Punishment.

Power to commute Corporal Punishment.

29. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Power to commute a Sentence of cashiering.

30. It shall be lawful for Her Majesty, in all Cases whatsoever, instead of causing a Sentence of cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Regimental Rank, or both, as may be deemed expedient.

Forfeiture of Pay and Pension by Sentence of Court-martial.

31. Any General Court-martial may, in addition to any other Punishment which such Court may award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, or to Forfeiture of any Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, and of all Medals and Decorations, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Punishment which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person,

with

with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In tampering with his Eyes, with Intent thereby to render himself unfit for Service:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

32. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or found guilty by a Jury of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award; and every Marine who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in pos-

session of, whether for Sea or Field Service or for good Conduct, together with any Annuity or Pension or Gratuity, if any, thereto appertaining; and any Sergeant reduced to the Ranks by Sentence of Court-martial may, by the Order of the same Court, be made to forfeit any Annuity or Pension and Medal for meritorious Service, or any or either of them, which may have been conferred upon him.

Forfeiture of Pay when in Confinement;

33. If any Non-commissioned Officer or Marine, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service, as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Time of Service may have been prolonged; and no Marine shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement as a Deserter by Confession or under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in Confinement for Debt; and when any Marine shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence, but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Marine was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided, the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; and any Marine who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Marine shall absent himself without Leave for any Period, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized

or during Absence on Commitment under a Charge, or in arrest for Debt;

or when Prisoner of War;

or when convicted of Desertion or Absence without Leave;

or when absent without Leave.

authorized to award, order that such Marine shall be imprisoned for such Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, and with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days during which he shall have so absented himself; and, in pursuance of any such Order as aforesaid, the Pay of the Marine shall be accordingly forfeited: Provided always, that such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as last aforesaid: Provided also, that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Marine during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay and Liquor for habitual Drunkenness.

34. Any General, Garrison, or District Court-martial before which any Marine shall be convicted of habitual Drunkenness shall deprive such Marine of such Portion of his Pay for such Period not exceeding Two Years, and under such Restrictions and Regulations as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and every Divisional or Detachment Court-martial shall deprive a Marine convicted of a Charge of habitual Drunkenness of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay the Court may, if it shall think fit, sentence such Offender to any other Punishment whatsoever which the Court may be competent to award: Provided that a Marine so sentenced to the Forfeiture of Pay who shall be quartered or removed to a Station where Liquor forms a Part of his Ration, and is issued in Kind, shall be deprived of his Liquor in Kind, instead of being deprived of One Penny of his daily Pay, for so long a Time as he shall remain in such Station, and such Sentence of Forfeiture of Pay shall remain in force.

35. Any

Forfeiture of Pay for Drunkenness on Duty.

35. Any Court-martial may sentence any Marine for being drunk on Duty under Arms to be deprived of a Penny a Day of his Pay for any Period not exceeding Sixty Days, and for being drunk when on any Duty not under Arms, or for Duty or on Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, and such Deprivation may in either Case be in addition to any other Punishment whatsoever which such Court may award.

Stoppages.

36. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Bounty fraudulently obtained by him by Desertion from his Corps and enlisting in some other Corps or in the Militia:

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal or Decoration for Service or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Medal or Decoration which may have been granted to him by any Foreign Power, or any Loss, Disposal of, or Destruction of, or Damage or Injury to the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that when an Offender is put under Stoppages for making away with or pawning any Medal or Decoration, the Amount shall be credited to the Public, but the Medal

Medal or Decoration in question shall not be replaced, except under special Circumstances, to be determined by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid: Provided also, that so much only of the Pay of the Marine may be stopped and applied as shall, after satisfying the Charges for Messing and Washing, leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

37. Whenever any Marine shall have been convicted of Desertion or of any such disgraceful Conduct as is herein-before described, and the Court in respect of such disgraceful Conduct shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service: Provided always, where an Award of any of the Forfeitures herein-before mentioned, or of Deprivation of Pay, or of Stoppages of Pay, shall have been added to a Sentence of Transportation or Penal Servitude, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, or, if in the *East Indies*, for the Officer commanding in chief Her Majesty's Land Forces in *India*, in the event of the Sentence of Transportation or Penal Servitude being commuted to Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted as may be deemed expedient.

Marking Deserters or Marines discharged with Ignominy.

38. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked, Two Inches below and One Inch in rear of the Nipple of the Left Breast, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be clearly seen and not liable to be obliterated; a Court-martial may, upon sentencing any Offender to be discharged with Ignominy, also sentence him to be marked on the Right Breast with the Letters B.C., and the confirming Officer may order such Sentence in respect of the Marking to be carried into effect.

Power of Imprisonment by different Kinds of Courts-martial.

39. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, in no Case exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall exceed Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed

Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with Intervals between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be Solitary Confinement only, or when any Sentence of Corporal Punishment shall have been commuted to Imprisonment only, the Period of such Solitary Confinement shall in no Case exceed Fourteen Days.

Imprisonment of Offender already under Sentence.

40. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence, either of Imprisonment or of Penal Servitude, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which either of those Punishments could be otherwise awarded.

Term and Place of Imprisonment.

41. Save as herein specially provided, every Term of Penal Servitude or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall be signed by the President; and the Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Division to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Proviso for Removal of Prisoners.

42. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison other than a Military Prison, or in any Gaol or House of Correction or elsewhere, in any Part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Division or the District or Garrison in which such Prisoner may be, to give, as often as Occasion

sion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than a Military Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the Officer commanding the Royal Marines there serving, in the Case of any such Prisoner, to give as often as Occasion may arise an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military or other Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction, either within the United Kingdom or elsewhere, to some other Prison or Place, either in the United Kingdom or elsewhere, the Officer or Authorities who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to other Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military or other Custody as may be lawfully exercised by any of the Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such

such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military or other Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place, and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Custody of Prisoners under Military Sentence in Common Gaols.

43. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction, in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or from the Officer commanding the Division or Detachment to which the Offender belongs or did last belong or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released or be otherwise disposed of; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to other Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Subsistence of Prisoners in Common Gaols.

44. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions shall diet and supply every Marine imprisoned therein under the Sentence of a Court-martial or as a Deserter

Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem*, or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem*, or such other Sum as aforesaid, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Notice to be given of Expiration of Imprisonment in Common Gaols.

45. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe, that any Person in his Custody for any Debt or Contempt, or upon any Charge or for any Offence, civil, criminal, or military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, previous to the Expiration of the Period of the Confinement or Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Confinement or Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, specifying the Day and Hour of the Day on and at which he is to be released; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds; and moreover every Gaoler or other Person having such immediate Inspection as aforesaid shall, as soon as any such Marine shall be entitled to be discharged out of Custody, with all convenient Speed, safely and securely conduct and convey and safely and securely deliver every such Marine either unto the Officer commanding at the nearest Head Quarters of the Royal Marines or to the Officer commanding Her Majesty's Ship to which any such Marine may happen to belong, unless the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, or the Officer commanding at the nearest Head Quarters of the Royal Marines, or the Officer commanding Her Majesty's Ship to which any such Marine may belong, shall, by Writing under his Hand, direct that such Marine be delivered to some other Officer or Person, in which Case he shall be delivered to such other Officer or Person accordingly, and the Officer or Person to whom such Marine shall be so delivered in accordance with this Act shall thereupon give to such Gaoler or Person delivering up such Marine a Certificate, directed to the Secretary of the Admiralty, specifying the Receipt of such Marine, and, if

such Gaoler or other Person as aforesaid has conducted or conveyed any such Marine, specifying the Place from and to which he shall have been conducted and conveyed as aforesaid; and such Gaoler or Person who shall have so conducted, conveyed, and delivered any such Marine shall, upon the Production of such Certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the Sum of One Shilling *per* Mile, and no more, for conducting, conveying, and delivering any such Marine as aforesaid; and every such Gaoler or other Person having such immediate Inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such Marine as aforesaid shall for every such Misconduct or Offence forfeit and pay the Sum of One hundred Pounds. In all Cases where the Marine in Custody is under Sentence to be discharged from the Service on the Completion of his Term of Imprisonment, and the Discharge Document is in the Hands of the Gaoler, such Gaoler shall not be required to make any Report thereof to the Secretary of the Admiralty or to the Deputy Adjutant General of Marines.

Military Prisons established under any Act for punishing Mutiny and Desertion in the Army to be deemed public Prisons.

46. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Musters, and Penalty on false Musters.

47. Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to Her Majesty's Service who shall give or procure to be given any untrue Certificate thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or who shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial,

for any such Offence be sentenced to be cashiered: Provided that it shall be lawful for Her Majesty, in all Cases whatsoever, instead of causing a Sentence of cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Rank as may be deemed expedient; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to Her Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise in order to excuse any Officer or Marine from Appearance at any Muster, or whereby Her Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds.

Verifying of Muster Rolls.

48. All Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

Trials for Desertion after subsequent Re-enlistment.

49. Every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps, and be a Deserter therefrom; and whether such Marine shall be tried for deserting from the Corps to which he may of right belong, or from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters.

50. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Marine or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry, and to remand the said suspected Person, in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the

the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall appear to the Satisfaction of such Justice, by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath, or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order to his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, or Deputy Adjutant General of Royal Marines, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty

Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of such Fees; and that when any such Person shall be apprehended and committed as a Deserter in any Part of Her Majesty's Foreign Dominions, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in such Part, or if the Detachment be in such Part, the Justice may deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post, if within reasonable Distance; and such Justice shall in every Case transmit to the Officer commanding a Description Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law; and such Description Return, purporting to be duly made and subscribed in accordance with the Act, shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of the Facts and Matters therein stated: Provided always, that any such Person so committed as a Deserter in any Part of Her Majesty's Dominions shall, subject to the Provisions herein-after contained, be liable to be transferred, by Order of the Colonel Commandant or other Officer commanding, to serve in any Division, Corps, Detachment, or Party nearest to the Place where he shall have been apprehended, or to any other Division, Corps, Detachment, or Party to which the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral may deem it desirable that he should be transferred, and shall also be liable after such Transfer of Service to be tried and punished as a Deserter.

Transfer of Deserters.

51. For and in respect of any Marine attempting to desert from any Head Quarters, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Penalty on Marines attempting to desert from Head Quarters.

52. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions is hereby required to receive and confine therein every Deserter who shall be delivered into his Custody by any Marine or other Person conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Admiralty, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Keeper shall be entitled to One Shilling for the safe

Temporary Custody of Deserters in Gaols.

Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent Confession of Desertion.

53. Any Person who, while serving in Her Majesty's Navy or in any of Her Majesty's Forces, or the Embodied Militia, shall to any Officer, or Subordinate, Warrant, Petty, or Non-commissioned Officer, fraudulently confess himself to be a Deserter from Her Majesty's Royal Marine Forces, shall be liable to be tried by any Court-martial under this Act, and punished according to the Sentence thereof; and any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if elsewhere by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England* or *Ireland*, of an Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of Queen *Victoria*, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to Larceny and other similar Offences*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may

24 & 25 Vict. c. 96.

may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Record of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed such Certificate; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

Punishment for inducing Marines to desert.

54. Any Person who shall, in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure or persuade any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or, knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justices shall think fit.

Extension of Furlough in case of Sickness.

55. When there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine, not borne on the Books of any of Her Majesty's Ships or Vessels in Commission as aforesaid, and who shall be on Furlough, shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall

shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

but not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

56. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine, or who has received Marine Enlistment Money, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor, or of any Crime or Offence other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf,

Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Marine Necessaries or Equipments of such Marine: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices duly bound under the Age of Twenty-one Years, as herein prescribed.

Officers not to be Sheriffs, Mayors, &c.

57. No Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces, or who shall be employed in enlisting for such Forces, shall be capable of being nominated or elected to be Sheriff, and no such Officer and no Non-commissioned Officer of such Forces shall be capable of being nominated or elected to be a Constable, or Overseer, Guardian of any Union, or any Officer of a like Description, of any County, Hundred, Riding, City, Borough, Town, Division, Parish, or other Place, or to be Mayor, Portreeve, Alderman, or to hold any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*, or be summoned or shall serve as a Grand or Petit or other Juror or upon any Inquest, and any Summons for him to attend to serve as a Grand or Petit or other Juror or upon an Inquest shall be null and void; and every such Person is hereby exempted from Attendance and Service in accordance with any

such Summons, and from all Fines, Pains, and Penalties for or in consequence of not attending or serving as aforesaid.

Questions to be put to Recruits on enlisting.

58. Every Person authorized to enlist Recruits for the Royal Marines shall first ask the Person offering to enlist whether he belongs to the Militia, and also such other Questions as the said Lord High Admiral or the said Commissioners may direct to be put to Recruits, and shall, immediately after giving him Enlisting Money, serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Recruits when deemed to be enlisted.

59. Every Person who shall receive Enlisting Money in manner aforesaid shall upon such Receipt be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

60. Every Person so enlisted as aforesaid shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Marines, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to such Appearance, some Person employed in the Recruiting Service shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto he will be liable to be punished as a Rogue and a Vagabond.

Dissent and Relief from Enlistment.

61. When a Recruit, upon appearing before a Justice for the Purposes aforesaid, shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Commandant of the Division for which the Marine shall have enlisted; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless upon Repayment of the Enlisting Money and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he shall be entitled to be discharged; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary

Secretary of the Admiralty and to the said Commandant, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

62. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration and taken the Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested, and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits until they have been attested or received Pay not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

63. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices within the United Kingdom, or for any One Justice out of the United Kingdom, acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, when he shall be brought before them or him, if in *England*, to adjudge him to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, or elsewhere in Her Majesty's Dominions, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and the Declaration made by the Recruit on his Attestation, purporting to be made and subscribed in accordance with the Schedule to this Act annexed, shall, in the Absence of Proof to the contrary, be deemed sufficient Evidence of such Recruit having represented the several Particulars as stated in such Declaration; and any

Marine

Marine who shall have given any false Answer at the Time of or relative to his becoming a Marine shall forfeit all Pay, Wages, and other Monies, be the same Naval, Marine, or otherwise, which he might otherwise have been entitled to for any Period of Service in the Royal Marines.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

64. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable, at the Discretion of the said Lord High Admiral or the said Commissioners, to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

65. If any Recruit shall abscond so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence and Description of such Recruit and of his having absconded, and shall declare the same to be true, and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the *Police Gazette*.

As to Militiamen enlisting into Regular Forces.

66. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman, or on other Proof thereof, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Marine in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation.

Volunteer Permanent Staff Officers

67. If any Non-commissioned Officer of the Volunteer Permanent Staff shall enlist into the Royal Marines, he may be tried and punished

punished as a Deserter, but if he confesses his Desertion the Secretary of State for War, instead of causing him to be tried and punished as a Deserter, may cause him to be returned to his Service on the Volunteer Permanent Staff, to be there put under Stoppages from his Pay until he has repaid the Amount of any Bounty received by him, and the Expenses attending his Enlistment, and also the Value of any Arms, &c. issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him, or may cause him to be held to his Service in the Royal Marines with a Direction, if it seems fit, that his Term of Service therein shall not be reckoned for Pension until the Time when his Engagement on the Volunteer Permanent Staff would have expired, and may further cause him to be put under Stoppages of One Penny a Day of his Pay until he has repaid the Expense attending his Engagement or Attestation on the Volunteer Permanent Staff, and also the Value of any Arms, Clothing, or Appointments issued to him while on the Volunteer Permanent Staff, and not duly delivered up by him.

enlisting into Regular Forces.

68. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Service shall be liable to be tried for such Offence by a General Court-martial, and to be sentenced to such Punishment, other than Death or Penal Servitude, as such Court may award.

Penalty on Officers offending as to Enlistment.

69. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, or for the Officer commanding any Ship or Vessel of Her Majesty on the Books of which any Marine may be borne, or on board of which any such Marine may be, or, notwithstanding anything in this Act contained, for the Commanding Officer of any Battalion or Detachment of Royal Marines, whether borne on the Books of any One of Her Majesty's Ships or otherwise, to re-engage or enlist and attest out of *Great Britain* or *Ireland* any Marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine Forces, if such Marine be considered by such Commanding Officer, Justice, or Magistrate a fit Person to continue in Her Majesty's Service; and every such Commanding Officer, Justice, or Magistrate shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices of the Peace in the United Kingdom for all such Purposes of Enlistment and Attestation, and any Marine so re-enlisted or re-engaged shall be deemed to be an attested Marine.

As to Re-enlistment abroad.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

70. Any Person duly bound as an Apprentice who shall enlist into Her Majesty's Royal Marine Forces, and shall falsely state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, such Person may be taken as a Deserter from Her Majesty's Royal Marine Forces.

Claims of Masters to Apprentices.

71. No Master shall be entitled to claim an Apprentice who shall enlist as a Marine in Her Majesty's Service unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Five Years, (not having been above the Age of Fourteen Years when so bound,) and, if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland* prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Five or Four Years as aforesaid: Provided also, that any such Master who shall give up the Indentures

tures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

No Apprentice claimed by the Master shall be taken away without a Warrant.

72. No Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of Her Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, and before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the County, Division, or Place for which such Justice is acting, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of such County, Division, or Place, unless the Court shall for just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justice that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Punishment of Apprentices enlisting.

Removal of Doubts as to Attestation of Marines.

73. No Person who shall for Six Months, and either before or after the passing of this Act, have received Pay and be borne on the Strength and Pay List of any Division of Her Majesty's Royal Marine Forces, of which the last Quarterly Pay List (if produced) shall be Evidence, or been borne as a Marine on the Books of any of Her Majesty's Ships in Commission, shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever, but, on the contrary, every such Person shall be deemed to have been duly enlisted and attested.

Power to Admiralty to order

74. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the Office of Lord High

Pay to be withheld.

High Admiral, to give Orders for withholding the Pay of any Officer or Marine for any Period during which such Officer or Marine shall be absent without Leave, or improperly absent from his Duty, or in case of any Doubt as to the proper Issue of Pay to withhold it from the Parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a Determination upon the Case.

Billeting of Marines.

75. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on shore: Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* with Diet and Small Beer, and in *Great Britain* and *Ireland* with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on their March shall any of them be billeted above One Mile from the Place mentioned in the Route, Care being always taken that the Billets be made out for the less distant Houses in which suitable Accommodation can be found before making out Billets for the more distant; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in one and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in the Manner required by this Act upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether

whether they be in the same or a different County in like Manner in every respect as if such Houses were all locally situated within such Place: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person or Persons having Stables, and who are by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively, and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or to enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to

the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging where he shall be duly billeted: Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Innkeepers.

76. The Innholder or other Person on whom any Marine is billeted in *Great Britain* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Marines may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain*, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *Great Britain* or *Ireland*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Division, Detachment, or Party shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Marines, or Horses are billeted, out of the Pay and Subsistence of such Officers and Marines, before any Part of the said Pay or Subsistence be paid or distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged

charged against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer or Non-commissioned Officer not being enabled to make Payment of the Sums due on account of Billets, every such Officer or Non-commissioned Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Account of such Officer or Non-commissioned Officer.

Supply of Carriages.

77. For the regular Provision of Carriages for the Royal Marine Forces and their Baggage on their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, or any Colonel Commandant or Commanding Officer of a Division of Royal Marines, shall, on the Production of such Order, or a Copy thereof certified by the Commanding Officer, to them or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, which List shall at all seasonable Hours be open to the Inspection of

of the said Persons, and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages without any special Warrant from him for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

78. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *Great Britain*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland* for every Hundredweight loaded on any Wheel Carriage One Halfpenny *per* Mile; and in *Great Britain* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Fourpence, Threepence, or Twopence to the respective Rates of One Shilling, Ninepence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder at the Sessions of the Peace of any Municipal City, Borough, or Town; and the Order of such Justices or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days, beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof; and also in *Great Britain* when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *Great Britain*, pay down the proper Sums into the Hands of the Constable providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay

pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *Great Britain*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time without Hindrance of Her Majesty's Service: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundredweight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Marines from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays at his Discretion out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of Marines on any Pretence whatever.

As to Supply of Carriages, &c. in Cases of Emergency.

79. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Case of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any Commanding Officer of Her Majesty's Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral,

or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all Justices within their several Jurisdictions in *Great Britain* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, such Justice shall take all the same Proceedings in regard to such additional Supply so required on such Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

Justices of Peace to direct Payment of Sums expended for Carriages, &c.

80. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall direct such Payments to be made out of the Rogues

Rogues Money and Assessments directed and authorized to be assessed and levied by an Act passed during the Session holden during the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

Lord Lieutenant of Ireland may depute Persons to sign Routes.

81. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency for the marching of any of Her Majesty's Royal Marine Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Exemption from Tolls.

82. All Officers and Marines on Duty or on their March, being in proper Uniform, Dress or Undress, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying any such Persons as aforesaid or their Baggage, or returning from conveying the same, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Prescription, Grant, or Custom, or by virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine on Duty or on their March who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the

the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

83. Every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Marching Money) to enable him to reach his Home, or the Place at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

84. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw in *Great Britain* and *Ireland*,

Ireland, for each Horse, in such Quantities and at such Rates as herein-before provided, or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Marine or Marine Recruit with the view of fraudulently obtaining a Billet or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty upon Officers of Marines so offending.

85. If any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do anything contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided a Certificate of such Conviction be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take or knowingly suffer to be taken from any Person any Money or Reward for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or

Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for forcible Entry in pursuit of Deserters without Warrant.

86. Every Marine Officer or Marine who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouse of any Person whomsoever in pursuit of any Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Penalty for purchasing Clothes, &c. from any Marine.

87. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person acting for or on his Behalf, upon any Account or Pretence whatsoever, or who shall solicit or entice any Marine or Marine Deserter, or shall be employed by any Marine or Marine Deserter, knowing him to be such, to sell any Arms, Ammunition, Medals for good Conduct, or Distinguishment, or other Service, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Medals, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Spirits, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, Necessaries, Sheets, or other Articles to be changed or defaced, or who shall pawn, sell, or deposit in any Place or with any Person such Articles of Regimental Necessaries, with or without the Consent of such Marine, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles; and if any Person having been at any Time previously convicted of either of the above Offences under this or any previous Act for the Regulation of Her Majesty's Royal Marine Forces

Forces while on shore shall afterwards be guilty of any such Offence, he or she shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the former Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove such former Conviction; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, such Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon such Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before the same or any other Justice of the Peace, to be dealt with according to Law.

Penalty on unlawful recruiting.

88. Every Person (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Royal Marines, or shall open or keep any House or Place of Rendezvous or Office, or receive any Person therein under such Bill or Advertisement as connected with the Marine Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral, shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty on killing Game without Leave.

89. For the better Preservation of the Game and Fish in or near Places where any Officer shall at any Time be quartered, every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, shall for every such Offence forfeit the Sum of Five Pounds.

90. If

Limitations of Actions.

90. If any Action shall be brought against any Member or Members of a Court-martial to be assembled under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, in respect of the Proceedings or the Sentence thereof, or against any other Person, for anything done in pursuance or under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, the same shall be brought in some One of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and it shall be lawful for the Defendant or Defendants therein, or in any such Action now pending, to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become nonsuit or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

91. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture or Treble Value can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures or Treble Value as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth

11 & 12 Vict. c. 43.

Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions other than the United Kingdom, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed or the Offender may at any Time happen to be, and for Default of Payment the Offender shall be punished as if the Offence had been committed in the United Kingdom; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles* or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions. 14 & 15 Vict. c. 93.

92. One Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or, where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct, anything in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall within Four Days thereafter at the furthest report the same, and his Adjudication thereof, to the Secretary of the Admiralty. Appropriation of Penalties. 5 & 6 W. 4. c. 76.

93. It shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, without regard to the Time of Year, or any Notices Licences of Canteens.

or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise or their proper Officers within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Mode of recording a Marine's Settlement.

94. Any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered on shore, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement; and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer to be produced when required; which said Examination and such attested Copy thereof shall be at any Time admitted as good and legal Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required: Provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Administration of Oaths.

Perjury.

95. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or other Person having Authority to administer Oaths and Declarations; and any Person giving false Evidence, or taking a false Oath or Declaration where an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Marine or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

96. All

Definition of Terms.

96. All Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and to the Town of *Berwick-upon-Tweed;* and the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer of Royal Marines, or who are or shall be listed or in Pay as a Non-commissioned Officer or Marine; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act; and all Powers and Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses or Places thereunto belonging, to all Houses of Persons licensed to sell Beer, Ale, Porter, Cider, or Perry by Retail, to be consumed or drunk in their Dwelling Houses or Premises, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin by Retail in *Great Britain* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *Great Britain* in any private Houses, or in any Canteen held or occupied under the Authority of the Admiralty, War, or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Marines not to be billeted in private Houses, &c.

97. This

Duration of Act.

97. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-seven until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-eight inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-seven until the First Day of *May* One thousand eight hundred and sixty-eight inclusive; and within the Garrison of *Gibraltar*, and within the *Mediterranean* and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-seven until the First Day of *August* One thousand eight hundred and sixty-eight inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the First Day of *September* One thousand eight hundred and sixty-seven until the First Day of *September* One thousand eight hundred and sixty-eight inclusive; and in all other Places from the First Day of *February* One thousand eight hundred and sixty-eight until the First Day of *February* One thousand eight hundred and sixty-nine inclusive: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

YOU shall duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to your Conscience, the best of your Understanding, and the Custom of War in the like Cases: And you shall not divulge the Sentence of the Court until it shall be duly approved; neither shall you, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help you GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved.

So help me GOD.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Royal Marines, and if you do not come forward to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representations at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. }

* At A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am married (that I am not a Widower; that I am a Widower, and that I have (*or* have not) Children) [*or* not married, *as the Case may be*]; that I do not belong to the Militia, or to the Naval Coast Volunteers, or Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been

been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*], and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*
_____ *Signature of Witness.*

Note (*a*), (*b*), (*c*).—These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

OATH to be taken by a RECRUIT on ATTESTATION.

I DO make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand, _____ *Signature of the Recruit.*
_____ *Witness present.*

Declared and sworn before me at this Day of One thousand eight hundred and at o'Clock.

Signature of the Justice.

DECLARATION

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine, for a further Term of Years [*to be filled up with such Number of Years as shall be required to complete a total Service of Twenty-one Years*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Signature of Marine.

Signature of Witness.

Declared before me this Day of 186 .

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent, and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of , for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION RETURN of who was apprehended [*or* surrendered himself, *as the Case may be*] on the Day of and was committed to Confinement at on the Day of as Deserter from the Royal Marines.

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place	
Name and Occupation and Address of the Person by whom or through whose Means the Deserter was apprehended and secured	
* Particulars of the Evidence on which the Prisoner is committed; and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

——————— *Signature and Address of Magistrate.*

——————— *Signature of Prisoner.*

——————— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————— *Signature of Military Medical Officer, or of Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be, and if unfit, state the Cause of Unfitness.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XV.

An Act for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships. [12th *April* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited for all Purposes as "The Shipping Dues Exemption Act, 1867."

Commencement of Act.

2. This Act shall come into operation on the First of *August* One thousand eight hundred and sixty-seven, which Time is herein referred to as the Commencement of this Act.

Interpretation of Terms :

3. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them, unless there is something in the Context inconsistent with such Meanings ; that is to say,

"Dues:"

The Word "Dues" shall include all Tolls, Rates, Taxes, Duties, and Imposts levied on Ships or on Goods carried in Ships, except any Duties levied by the Commissioners of Customs for the Use of Her Majesty :

"Exemption from Dues."

The Expression "Exemption from Dues" shall, in addition to its ordinary Meaning, include every Privilege of paying smaller Dues than the Public at large pay under like Circumstances.

4. After

No Exemption from Dues allowed in United Kingdom on account of Reasons herein named.

4. After the Commencement of this Act no Exemption from Dues shall be allowed in the United Kingdom on account of any one or more of the following Reasons; that is to say,

(1.) On account of any Ship being registered at or belonging to any particular Country, Port, or Place, or trading between any particular Ports or Places:

(2.) On account of any Ship or Goods being the Property of, or being consigned by or to any particular Person or Body Corporate:

(3.) On account of any Goods being destined for Sale in any particular Town, Place, or Market:

(4.) On account of any Ship or Goods being sent to or from, or anchoring or mooring at, or being laden or unladen at any particular Place in any Port, or in the Neighbourhood of any Port, except where a Ship in going to or from, or anchoring or mooring at, or being laden or unladen at such Place derives from the Expenditure of the Class of Dues in question no Benefit, or less Benefit than Ships going to or from, or anchoring or mooring at, or being laden or unladen at another Place in the same Port:

(5.) On account of any Goods being the Product of or being destined for Use at any particular Manufactory, Place, or District, or any particular Class of Manufactories: Provided that nothing in this Act contained shall affect any Exemption from Dues which has been granted by an Act of Parliament to the Owner or Occupier of some particular Quay, Manufactory, or Place as Compensation for Obstruction to his Water Frontage or Access to his Premises, or other Injury caused to him by the Works authorized by such Act.

Privileged Persons to have as Compensation an Annuity for 10 Years, equal to the Average of Benefit for Three Years preceding 1st February 1867.

5. Where a Person or Body Corporate who would if this Act had not passed be entitled in his or their own Right to derive Profit from any Exemption from Dues abolished by this Act has derived pecuniary Profit from such Exemption during the Year preceding the First of *February* One thousand eight hundred and sixty-seven, in that, but in no other Case, the Person or Body Corporate entitled to receive the Class of Dues in question (in this Act referred to as "the Receiver of Dues") shall pay to the Person or Body Corporate so entitled (in this Act referred to as "the Claimant") by way of Compensation an Annuity equal to the average annual Amount of Profit so derived during the Three Years next preceding the First of *February* One thousand eight hundred and sixty-seven, or during so much of those Three Years as is subsequent to the Date at which the Claimant commenced to derive such Profit:

Provided

Provided that no Compensation shall be payable or paid (except so much as may previously have accrued) after any of the following Times; *viz.*, No Compensation to be paid after Times herein named.

(1.) After the Expiration of Ten Years from the Commencement of this Act:

(2.) After the Time of the Death of the Claimant:

(3.) After the Time at which the Dues from which the Claimant was exempted cease to be levied:

(4.) After any Time when from any Reason whatever the Claimant ceases or would cease (if the Exemption from Dues for which Compensation was granted then existed) to have a Right to such Exemption or to be in a Position to derive Profit from it.

6. With respect to determining the Amount of Compensation to be paid under this Act, the following Rules shall be observed: Mode of determining Amount of Compensation.

(1.) The Claimant shall send to the Receiver of Dues and to the Board of Trade in Writing his Claim to Compensation, stating the Amount and Grounds of his Claim, and shall give such Evidence in support of his Claim as the Board of Trade may require:

(2.) This Claim shall be sent in to the Board of Trade within Three Months after the Commencement of this Act, and if it is not sent in within that Time the Claimant shall not be entitled to any Compensation in respect of the Time prior to the Date of the Receipt of such Claim by the Board of Trade; and if it is not sent in within One Year after the passing of this Act the Claimant shall not be entitled to any Compensation:

(3.) As soon as may be after receiving such Claim, the Receiver of Dues shall agree with the Claimant on the Amount of the Compensation to be paid, and the Times and Mode of such Payment, but such Agreement shall be subject to the Approval of the Board of Trade:

(4.) If no Agreement can be made, or if the Board of Trade disapprove of any Agreement which is made, the Amount of Compensation to be paid, and the Times and Mode of such Payment, shall be determined by Arbitration:

(5.) For the Purpose of such Arbitration the Clauses of "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this Act, and in the Construction of those Clauses for the Purposes of this Act this Act shall be deemed to be the Special Act, and any Appointment of an Arbitrator by the Receiver of Dues shall be subject to the Approval of the Board of Trade.

7. The

Commencement of Compensation, and how to be paid.

7. The Compensation shall (except as in this Act mentioned) date from the Commencement of this Act, and shall be paid out of the Class of Dues from which the Claimant who receives it was previously exempted.

Power to commute Annuity for a Principal Sum.

8. Any Receiver of Dues, on Agreement with the Claimant and with the Approval of the Board of Trade, may, by paying to the Claimant a Principal Sum, commute any Compensation payable annually by such Receiver under this Act.

Power to Receiver of Dues to borrow for Purpose of Commutation of the annual Payment.

9. Where the Receiver of Dues commutes the annual Compensation by Payment of a Principal Sum he may, if the Board of Trade approve, notwithstanding any Limitation in any Act of Parliament or Charter, borrow at Interest on the Security of any Dues which he has Power to levy the whole or any Part of such Principal Sum, and shall apply the same in effecting such Commutation.

For the Purpose of such borrowing the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be incorporated with this Act, and in the Construction of that Clause for the Purpose of this Act this Act shall be deemed to be the Special Act, and the Receiver of Dues which is borrowing shall be deemed to be the Commissioners.

If beneficial to the Trade of the Port, the Dues may be abolished instead of the Exemption.

10. Where a Receiver of Dues in any Port or Place proves to the Satisfaction of the Board of Trade that it would be beneficial to the Trade of such Port or Place that the Class of Dues from which the Exemption exists should be abolished, the Board of Trade may make an Order directing the Abolition of that Class of Dues after the Date mentioned in the Order, and after such Date, or, if no Date is mentioned, after the Date of that Order, no Dues specified in such Order shall be levied, and no Compensation shall be payable in respect of any Exemption therefrom; provided that where such Dues are received in trust for a Body Corporate such Dues shall not be abolished without the Consent of such Body Corporate under their Common Seal.

Saving of Rights of Her Majesty and Lighthouse Authorities.

11. Nothing in this Act contained shall render liable any Ships or Goods which belong to or are in the Service of Her Majesty, or any Corporation having the Superintendence or Management of Lighthouses, to any Dues to which they would not be liable if this Act had not passed.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

***

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Power for Treasury to guarantee Interest on Loan.

1. Subject to the Provisions of this Act, the Commissioners of Her Majesty's Treasury may guarantee, in such Manner and Form as they think fit, Payment of Interest at a Rate not exceeding Four *per Centum per Annum* on any Principal Money not exceeding the Sum of Three million Pounds Sterling, to be raised by way of Loan by the Government of *Canada* for the Purpose of the Construction of the Railway; and the Commissioners of Her Majesty's Treasury may from Time to Time cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, any Money required for giving Effect to such Guarantee.

Approval of Line and Use of Railway for Troops, &c.

2. The Commissioners of Her Majesty's Treasury shall not give any Guarantee under this Act unless and until an Act of the Parliament of *Canada* has been passed, within Two Years after the Union of *Canada* under The *British North America* Act, 1867, providing, to the Satisfaction of One of Her Majesty's Principal Secretaries of State, as follows :

1. For the Construction of the Railway :
2. For the Use of the Railway at all Times for Her Majesty's Military and other Service :

Nor unless and until the Line in which the Railway is to be constructed has been approved by One of Her Majesty's Principal Secretaries of State.

Raising and Expenditure of a Loan charged on Canadian Revenue, with Sinking Fund, &c.

3. The Commissioners of Her Majesty's Treasury shall not give any Guarantee under this Act unless and until an Act of the Parliament of *Canada* has been passed providing, to the Satisfaction of the Commissioners of Her Majesty's Treasury, as follows :

1. For the raising, Appropriation, and Expenditure for the Purpose of the Construction of the Railway of a Loan not exceeding Three million Pounds Sterling, bearing Interest at a Rate not exceeding Four *per Centum per Annum :*
2. For charging the Consolidated Revenue Fund of *Canada* with the Principal and Interest of the Loan immediately after the Charges specifically made thereon by Sections One hundred and three, One hundred and four, and One hundred and five of The *British North America* Act, 1867 :

3. For

3. For the Payment by the Government of *Canada* by way of Sinking Fund of an annual Sum at the Rate of One *per Centum per Annum* on the entire Amount of Principal Money whereon Interest is guaranteed, to be remitted to the Commissioners of Her Majesty's Treasury by equal half-yearly Payments in such Manner as they from Time to Time direct, and to be invested and accumulated under their Direction in the Names of Four Trustees, nominated from Time to Time, Two by the Commissioners of Her Majesty's Treasury and Two by the Government of *Canada*, such Sinking Fund and its Accumulations to be invested in Securities of the Provinces of *Canada*, *Nova Scotia*, and *New Brunswick*, issued before the Union of *Canada*, or, at the Option of the Government of *Canada*, in such other Securities as may be proposed by that Government and approved by the Commissioners of Her Majesty's Treasury, and to be applied under the Direction of the Commissioners of Her Majesty's Treasury in discharge of Principal Money whereon Interest is guaranteed:

4. For charging the Consolidated Revenue Fund of *Canada* with the Amount of the Sinking Fund immediately after the Principal and Interest of the Loan:

5. For charging the Consolidated Revenue Fund of *Canada* with any Sum issued out of the Consolidated Fund of the United Kingdom under this Act, with Interest thereon at the Rate of Five *per Centum per Annum*, immediately after the Sinking Fund:

6. For Continuance of the Sinking Fund until all Principal and Interest of the Loan, and all Sums issued out of the Consolidated Fund of the United Kingdom under this Act, and all Interest thereon, are fully discharged, or until the Sinking Fund and its Accumulations are adequate to discharge so much thereof as remains undischarged:

7. For the raising by the Government of *Canada* (without Guarantee by the Commissioners of Her Majesty's Treasury) of all such Money (if any) beyond the Sum of Three million Pounds Sterling as, in the Opinion of One of Her Majesty's Principal Secretaries of State, will be requisite for the Construction of the Railway, and for charging the Consolidated Revenue Fund of *Canada* with the Money so raised, and Interest, immediately after the Charges made thereon in pursuance of the foregoing Provisions of this Section.

4. There

Statement and Account to be laid before Houses of Parliament.

4. There shall be laid before both Houses of Parliament, within Fourteen Days next after the Beginning of every Session, a Statement and Account showing what has been done from Time to Time in execution or pursuance of this Act by or under the Direction of the Commissioners of Her Majesty's Treasury, and One of Her Majesty's Principal Secretaries of State, and the Parliament and Government of *Canada*.

Short Title.

5. This Act may be cited as The *Canada* Railway Loan Act, 1867.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XVII.

An Act to regulate the Court and Office of the Lyon King of Arms in *Scotland*, and the Emoluments of the Officers of the same.

[3d *May* 1867.]

WHEREAS it is expedient to regulate the Court and Office of the Lyon King of Arms in *Scotland*, and the Emoluments of the Officers of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lyon King of Arms to have same Rights and Duties as heretofore, except as altered by this Act.

1. From and after the passing of this Act the Jurisdiction of the Lyon Court in *Scotland* shall be exercised by the Lyon King of Arms, who shall have the same Rights, Duties, Powers, Privileges, and Dignities as have heretofore belonged to the Lyon King of Arms in *Scotland*, except in so far as these are herein-after altered or regulated.

Lyon King of Arms to discharge his Duties personally.

2. The Lyon King of Arms shall be bound to discharge the Duties of his Office personally and not by Deputy: Provided always, that in the event of the temporary Absence of the Lyon King of Arms,

Arms, from Illness or other necessary Cause, it shall be lawful for the Lord President of the Court of Session to grant a Commission to some other Person to discharge the Duties of Lyon King of Arms *ad interim*, and such Commission shall not be liable to any Stamp Duty: And provided also, that without any such Commission, in the event of the temporary Absence or Incapacity of the Lyon King of Arms, the Lyon Clerk shall be and is hereby empowered to admit to the Office of Messenger at Arms Persons properly qualified according to the present Law and Practice.

Salary of Lyon King of Arms.

3. The Lyon King of Arms, who shall be appointed by Her Majesty, Her Heirs and Successors, shall receive such Salary, not exceeding Six hundred Pounds *per Annum*, as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable quarterly out of any Monies to be voted by Parliament for that Purpose, which Salary shall come in place of the Fees hitherto exigible by him, to which he shall no longer be entitled.

Rights and Duties of Lyon Clerk.

4. The Lyon Clerk shall hereafter have the same Rights and perform the same Duties as heretofore, except in so far as the same are herein-after altered or regulated.

Lyon Clerk to perform his Duties personally.

Salary of Lyon Clerk.

5. The Lyon Clerk, who shall be appointed by Her Majesty, Her Heirs and Successors, shall, subject to the Provision contained in the Twelfth Section of this Act, perform the Duties of his Office personally and not by Deputy, and shall receive such Salary, not exceeding Two hundred and fifty Pounds *per Annum*, as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable as aforesaid, which Salary shall come in place of the Fees hitherto exigible by him, to which he shall no longer be entitled: Provided always, that in the event of the temporary Absence or Incapacity of the Lyon Clerk it shall be lawful for the Lyon King of Arms, with the Consent of Her Majesty's Advocate, to grant a Commission to some other Person to discharge the Duties of the Lyon Clerk *ad interim*, and such Commission shall not be liable to any Stamp Duty.

Rights and Duties of Heralds and Pursuivants in Scotland.

6. The Heralds and Pursuivants in *Scotland* shall be appointed by the Lyon King of Arms, and shall have the same Rights and Privileges and discharge the same Duties as heretofore, except in so far as altered or regulated by this Act.

As to filling up Vacancies in Offices of Herald and Pursuivant.

7. No Vacancy in the Office of Herald in *Scotland* shall be filled up by the Lyon King of Arms until the Number of Heralds has, by Death, Resignation, or Removal, fallen to below Three, after

after which Event the Vacancies which may occur in said Office shall be filled up, so that the Number of Heralds shall in Time coming be maintained at Three; and no Vacancy in the Office of Pursuivant in *Scotland* shall be filled up by the Lyon King of Arms until the Number of Pursuivants has, by Death, Resignation, or Removal, fallen to below Three, after which Event the Vacancies which may occur in said Office shall be filled up, so that the Number of Pursuivants shall in Time coming be maintained at Three: Provided always, that no Herald or Pursuivant appointed before the passing of this Act shall in respect of any Vacancy not being filled up be entitled to any larger Share of Fees than he would have been entitled to had there been no such Vacancy.

Salary of Heralds and Pursuivants.

8. No Herald or Pursuivant appointed after the passing of this Act shall be entitled to exact any Fees, but each Herald or Pursuivant so appointed shall receive, in lieu of Fees, such Salary as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable as aforesaid: Provided always, that no Herald or Pursuivant appointed after the passing of this Act shall pay or give to the Lyon King of Arms any Consideration for his Appointment, and if any such Consideration shall have been paid or given by any such Herald or Pursuivant his Appointment shall be null and void.

Duties and Fees of Herald Painter and Procurator Fiscal of Lyon Court.

9. The Herald Painter in *Scotland* and Procurator Fiscal of the Lyon Court shall hereafter be appointed by the Lyon King of Arms, and shall respectively perform the Duties, and be entitled to receive the Fees, which the Herald Painter and Procurator Fiscal aforesaid have hitherto been bound to perform and entitled to exact: Provided always, that no Herald Painter or Procurator Fiscal shall have any vested Right in such Fees.

Attendance at Lyon Office.

10. From the First Day of *October* to the Twentieth Day of *December* and from the Fifth Day of *January* to the Twentieth Day of *July* in each Year the Hours of Attendance at the Lyon Office shall be from Eleven o'Clock in the Forenoon to Three o'Clock in the Afternoon, every lawful Day except *Saturday;* and from the Twenty-first Day of *July* to the Thirtieth Day of *September* and from the Twenty-first Day of *December* to the Fourth Day of *January* in each Year the Hours of Attendance shall be from Eleven o'Clock in the Forenoon to Two o'Clock in the Afternoon, and on *Wednesdays* and *Fridays* only: Provided always, that between the Twenty-first Day of *July* and the Thirtieth Day of *September*, and between the Twenty-first Day of *December* and the Fourth Day of *January*, in each Year, the Lyon King of Arms shall not be bound to entertain any Applications for Grants or Matriculations

Matriculations of Arms, or for recording Pedigrees: Provided also, that there shall be provided for the Lyon King of Arms, the Lyon Clerk, and the Herald Painter, such sufficient Office Accommodation as the Commissioners of Her Majesty's Treasury may determine.

Regulating Disposal of Fees payable under the Statutes of the Order of the Thistle, and Grant of Geo. II., dated 19th July 1731.

11. The Fees hitherto payable to the Lyon King of Arms by Knights of the Thistle under the Statutes of the Order of the Thistle, and the Fees payable to the Lyon King of Arms in Terms of a Grant of His Majesty King *George* the Second, under the Great Seal of *Great Britain*, of Date the Nineteenth Day of *July* One thousand seven hundred and thirty-one, shall from and after the passing of this Act be paid into Her Majesty's Exchequer; and after the Death, Resignation, or Removal of any of the Heralds or Pursuivants aforesaid appointed prior to the passing of this Act the Proportion of Fees which but for the said Death, Resignation, or Removal would have been payable to him or them in Terms of the said Statutes of the Order of the Thistle, or in Terms of the before-mentioned Grant of His Majesty King *George* the Second, shall be paid into Her Majesty's Exchequer, so that after the Death, Resignation, or Removal of all the Heralds and Pursuivants appointed prior to the passing of this Act the whole Sums appointed by the said Statutes of the Order of the Thistle and the said Grant of His Majesty King *George* the Second to be paid to the Heralds and Pursuivants aforesaid shall instead be paid into Her Majesty's Exchequer.

Rights of present Lyon Clerk not to be affected by this Act.

12. Until the Death, Resignation, or Removal of the present Lyon Clerk, notwithstanding anything to the contrary contained in this Act, it shall be lawful for him to perform the Duties of his Office as he is authorized by his Commission, and to exact the Fees and Dues hitherto exigible by him.

Fees.

13. Until the Occurrence of the next Vacancy in the Office of Lyon Clerk, the Fees and Dues enumerated in Schedule A. annexed to this Act shall be exigible in lieu of the Fees and Dues hitherto payable to the Lyon King of Arms and Lyon Depute, and shall be paid into Her Majesty's Exchequer; and after the Occurrence of such Vacancy the Fees and Dues enumerated in Schedule B. annexed to this Act shall be exigible in lieu of the Fees and Dues hitherto payable to the Lyon King of Arms, Lyon Depute, and Lyon Clerk, and shall be paid into Her Majesty's Exchequer.

SCHE-

SCHEDULES.

SCHEDULE A.

	£	s.	d.
On every Patent of Arms with Supporters - - -	29	8	0
On every Patent of Arms without Supporters - - -	13	13	0
On every Matriculation of Arms with Supporters, without a new Patent - - - - - - - -	6	16	6
On every Matriculation of Arms without Supporters, without a new Patent - - - - - - - -	4	14	6
On every Matriculation of Arms without a new Patent of Arms, but with a Patent of Supporters - - - -	22	1	0
On every Genealogy recorded - - - - -	7	17	6
On the Admission of a Messenger at Arms to practise in the County of Edinburgh - - - - -	11	2	3
On the Admission of a Messenger at Arms to practise out of the County of Edinburgh - - - - -	8	6	8
Annual Dues of each Messenger at Arms - - -	0	11	2

N.B.—These Fees are exclusive of Stamp Duties when such are exigible.

SCHEDULE B.

	£	s.	d.
On every Patent of Arms with Supporters - - -	49	12	0
On every Patent of Arms without Supporters - - -	29	18	0
On every Matriculation of Arms with Supporters, without a new Patent - - - - - - - -	15	16	6
On every Matriculation of Arms without Supporters, without a new Patent - - - - - - - -	12	0	6
On every Matriculation of Arms without a new Patent of Arms, but with a Patent of Supporters - - - -	34	13	6
On every Genealogy recorded - - - - -	10	10	0
Additional for each Member of the Pedigree - - -	0	5	0
Certificate regarding Change of Surname - - -	0	15	0
Search in Register of Arms - - - - -	0	5	0
Search in Register of Genealogies - - - -	0	5	0
General Search in Heraldic MSS. - - - -	1	1	0
General Search in Genealogical MSS. - - - -	1	1	0
On every Extract from a Register - - - -	0	10	6
On entering a Caveat - - - - - -	0	5	0

Lyon King of Arms (Scotland).

	£	s.	d.
On the Admission of a Messenger at Arms to practise in the County of Edinburgh - - - - -	19	14	0
On the Admission of a Messenger at Arms to practise out of the County of Edinburgh - - - - -	15	14	0
Annual Dues of a Messenger at Arms practising in the County of Edinburgh - - - - - - -	0	17	0
Annual Dues of a Messenger at Arms practising out of the County of Edinburgh - - - - - - -	0	17	6
On renewal of a Messenger's Bond of Caution - - -	2	10	0
On recording Resignation or Change of Residence of a Messenger	0	2	6
On search for a Messenger's Cautioner - - - -	0	2	6
On every certified Statement of Name and Designation of such Cautioner, and Date of Bond - - - -	0	5	0
On each Petition or Paper lodged in a Process against a Messenger	0	5	0
On each Interlocutor in a Process against a Messenger - -	0	5	0
On extracting each Warrant, Decreet, or Precept of Suspension, first Sheet - - - - - - - -	0	5	0
On ditto, each subsequent Sheet - - - - -	0	3	0
On affixing Seal of Office to Warrant, Decree, or Precept - -	0	5	0
On examining Executions of Service and Intimations of Precepts of Suspension, marking them on the Record and giving out Certificate - - - - - - -	0	5	0
On lending Process and taking Receipt - - - -	0	2	0
On Return of Process and scoring Receipt - - -	0	1	0
On Re-admission of a Messenger at Arms - - -	1	0	6
On the Appointment of a Herald - - - -	9	16	4
On the Appointment of a Pursuivant - - - -	9	1	0

N.B.—These Fees are exclusive of Stamp Duties when such are exigible.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XVIII.

An Act for the Preservation and further Protection of Oyster Fisheries. [3d *May* 1867.]

WHEREAS it is expedient to make Provision for the Protection of private Oyster Beds, Layings, or Fisheries:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Oyster Preservation Act, 1867. Short Title.

2. In this Act the Word "Oysters" includes the Brood, Ware, Half-ware, Spat, and Spawn of Oysters, and the Word "Person" includes Body Corporate. As to Words "Oysters" and "Person."

3. All Oysters being in or on any Oyster Bed, Laying, or Fishery which is the Property of any Person, and is sufficiently marked out or known as such, shall be the absolute Property of such Person, and in all Courts of Law and Equity and elsewhere, and for all Purposes, Civil, Criminal, or other, shall be deemed to be in the actual Possession of such Person. Oysters in the Oyster Grounds or Fishery to be Owner's Property.

Oysters removed from the Fishery to be Owner's Property.

4. All Oysters removed by any Person from any such Oyster Bed, Laying, or Fishery, and not either sold in Market overt, or disposed of by or under the Authority of the Person to whom such Bed, Laying, or Fishery belongs as aforesaid, shall be the absolute Property of such last-mentioned Person, and in all Courts of Law and Equity and elsewhere, and for all Purposes, Civil, Criminal, or other, the absolute Right to the Possession thereof shall be deemed to be in such last-mentioned Person.

Proof of marking of Limits.

5. Whenever it is necessary in any legal Proceeding to prove that the Limits of any Oyster or Mussel Fishery have been duly buoyed or otherwise marked, or that Notices of such Limits have been duly posted, published, or distributed in pursuance of any Act of Parliament or of any Order of the Board of Trade confirmed by Parliament, or that Notice of the Provisions of such Act or Order relating to the Oyster or Mussel Fishery has been duly published, a Certificate purporting to be under the Hand of One of the Secretaries or Assistant Secretaries of the Board of Trade, certifying that the Board of Trade are satisfied that the said Limits were so buoyed or marked, or that the said Notices were duly published, posted, or distributed, shall be received as Evidence that the same have been so buoyed or marked, or that the said Notices have been so published, posted, or distributed.

Contiguous Fisheries.

6. When Two or more Oyster Beds, Layings, or Fisheries belonging to different Proprietors are contiguous to each other, and any Indictment or Prosecution shall be raised or Proceeding taken against any Person for stealing Oysters from the same, it shall be sufficient, in alleging and proving the Place from which such Oysters were stolen, to allege and prove that they were stolen from one or other of such contiguous Beds, Layings, or Fisheries, and in alleging and proving the Property and lawful Possession of such Oysters it shall be sufficient to allege and prove that the same belonged to and were in the lawful Possession of one or other of such Proprietors, although it is not alleged or proved from which of such contiguous Beds, Layings, or Fisheries the same were stolen, or of which of such Proprietors they were the Property or in the lawful Possession.

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CAP. XIX.

An Act to amend the Petty Sessions Act (*Ireland*), 1851, as to the backing of Warrants.

[31st *May* 1867.]

WHEREAS by the Petty Sessions Act (*Ireland*), 1851, certain Provisions were made for the backing of Warrants for Execution by the Inspector General or by either of the Deputy Inspectors General of Constabulary in *Ireland*: 14 & 15 Vict. c. 93.

And whereas the Number of the said Deputy Inspectors General of Constabulary has since been reduced to One, and there are Three Assistant Inspectors General of Constabulary:

And whereas it is expedient that in the Absence of the said Inspector General and Deputy Inspector General of Constabulary the Assistant Inspectors General of Constabulary should have the same Power to back Warrants for Execution as by the said recited Act were given to the said Inspector General and Deputy Inspectors General:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Assistant Inspectors General of Constabulary to back Warrants in Absence of Inspector General and Deputy Inspector General.

1. That in the Absence of the Inspector General and Deputy Inspector General of Constabulary it shall be lawful for any one of the Assistant Inspectors General of Constabulary in *Ireland* to back, endorse, and transmit for Execution all Warrants issued under the said recited Act in like Manner as the said Inspector General and Deputy Inspectors General were thereby authorized to do, and thereupon the same shall and may be executed in like Manner as a Warrant backed by the said Inspector General or Deputy Inspector General under the recited Act.

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VICTORIÆ REGINÆ.

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CAP. XX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

[31st *May* 1867.]

WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Twenty-second Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1867," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

Inclosure.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Chard - - -	Somerset - -	26th April 1866.
Chippenham and Langley Burrell	Wilts - - -	7th June 1866.
Colkirk - - -	Norfolk - -	21st June 1866.
Tatterford - - -	Norfolk - - -	21st June 1866.
Dawlish - - - -	Devon - - -	5th July 1866.
Saint Pinnock - -	Cornwall - -	21st June 1866.
Manley - - -	Chester - - -	20th September 1866.
Greasby - - -	Chester - - -	5th October 1866.
Shap - - - - -	Westmorland - -	8th November 1866.
Fakenham - - -	Norfolk - -	29th November 1866.
Boughton - - - -	Nottingham - -	11th December 1866.
Crimscott and Whimpstone -	Warwick - - -	8th January 1867.

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VICTORIÆ REGINÆ.

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Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Separated Parts of Gainsborough District to pay Share of Mortgage Debt.

2. Notwithstanding the Separation from the District of the *Gainsborough* Local Board of Health of the Hamlets of *Morton*, *Walkerith*, and *East Stockwith*, as set forth and described in the Provisional Order in the Schedule to this Act contained, the Parts so separated shall pay the Sum of Seventy-five Pounds being the Amount agreed to be defrayed by them as their Share of the Debt owing by such Board; the said Amount of Seventy-five Pounds to be paid by the several Hamlets herein-before named within a Period of Three Months from the passing of this Act, and in the following Proportions; that is to say, the Hamlet of *Morton* to pay Forty-one Pounds Thirteen Shillings and Fourpence, the Hamlet of *Walkerith* Twelve Pounds Ten Shillings, and the Hamlet of *East Stockwith* Twenty Pounds Sixteen Shillings and Eightpence; and the *Gainsborough* Local Board of Health aforesaid shall have full Power and Authority to collect and recover from the Ratepayers of the several herein-before named Hamlets any General District Rates and Highway Rates respectively, or any Arrears thereof respectively, which shall have been made and may be uncollected and due at the Time of the passing of this Act, and also any Amount due from such Hamlets respectively to such Local Board up to and at the Time of such passing of this Act on account of the said Board's Expenditure in respect of Repairs of the Highways in such Hamlets: Provided always, that, notwithstanding such Separation as aforesaid, the Ratepayers of the several Hamlets aforesaid shall have the Right to inspect at all usual reasonable Hours, at the Office of the *Gainsborough* Local Board of Health, the Plans prepared for the District of such Board as originally constituted.

Security for Mortgage Debt of Gainsborough Local Board.

3. The Security for the Mortgage Debt of the *Gainsborough* Local Board of Health shall, from and after the passing of this Act, be the rateable Value of the Property in the District as altered by the Provisional Order in the Schedule of this Act annexed, the Town Portion of such District to be liable for the existing Debt, and the remaining Portion of the Township to be liable for the Debt incurred for Works in such last-mentioned Portion.

South Wales Highway Act repealed

4. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 Vict. Cap. 68.), intituled

intituled "The *South Wales* Highway Act," shall be repealed, so far as it relates to the *Llanwonno* Portion of the District of *Mountain Ash* in the County of *Glamorgan*, within which District of *Mountain Ash* the Local Government Act, 1858, is now in force. as to Llanwonno Portion of the Mountain Ash District.

5. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act. Act incorporated with 21 & 22 Vict. c. 98.

6. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867." Short Title.

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. GAINSBOROUGH.—Altering the Boundaries of the District of Gainsborough under the Local Government Act, 1858.

2. FARSLEY.—Altering the Boundaries of the District of Farsley under the Local Government Act, 1858.

3. BIDEFORD.—For extending the Borrowing Powers of the Bideford Local Board.

4. CANTERBURY.—Making Provision for ascertaining the Value of Property, &c. of the late Paving Commissioners of Canterbury, and for other Purposes therein set forth.

5. CHEPPING WYCOMBE.—Repealing and altering Parts of a Local Act in force within the District of the Chepping Wycombe Local Board.

6. WORTHING.—Altering Provisional Order applying the Public Health Act, 1848, to the Town of Worthing, in the County of Sussex.

7. WEDNESFIELD.—Altering a Provisional Order relating to the District of Wednesfield under the Local Government Act, 1858.

GAINSBOROUGH.

Provisional Order for altering the Boundaries of the District of Gainsborough in the County of Lincoln, under the Provisions of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th section of the Local Government Act, 1858, duly signed by Owners of Property and Ratepayers within the three Hamlets of Morton, Walkerith, and East Stockwith, which form part of the District of the Local Board of Health for the District of Gainsborough in the County of Lincoln, praying for an alteration of the existing boundary of the said District by separating those Hamlets therefrom:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Arnold Taylor, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board of Health for Gainsborough in the County of Lincoln be altered by there being separated therefrom the three Hamlets of Morton, Walkerith, and East Stockwith; that such Hamlets be exempted from the further jurisdiction of the Gainsborough Local Board of Health, which will thenceforth be limited to the Township of Gainsborough.

2.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Twenty-ninth day of August 1866.

(Signed) S. H. WALPOLE.

FARSLEY.

Provisional Order altering the Boundaries of the District of Farsley, in the West Riding of the County of York, under the Provisions of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by the Local Board for the District of Farsley, in the West Riding of the County of York, praying for an alteration of the existing boundary of the said District, by adding thereto certain portions of the Hamlet of Calverley therein described and delineated in the Plan accompanying the said Petition:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for the District of Farsley, in the West Riding of the county of York, be altered by the incorporation with such District of a portion of the Hamlet of Calverley to be separated from such Hamlet by a line of division as follows; that is to say, commencing at a point at the end of Lees Lane, where the north side of Dike Lane meets the west side of Lees Lane, thence along the north side of the said Dike Lane to Woodhall Lane, thence crossing it and along the west side of the said Woodhall Lane to the Leeds and Halifax road, thence crossing the said road and along the west side of Galleway Lane to the point where it meets the boundary of the Township of Calverley with Farsley at Pudsey Hill Foot, thence eastward along the said Township boundary to the point where it meets the boundary of the District of Saint John the Evangelist, Farsley, thence northward along the same last-mentioned boundary to the end of Lees Lane, and thence crossing the same Lees Lane to the point of commencement.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Farsley Local Board as altered by this Order, by the incorporation therewith of the herein-before described portion of the

the Hamlet of Calverley; and the said members shall be elected by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eleventh day of January, in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

BIDEFORD.

Provisional Order for extending the Borrowing Powers of the Bideford Local Board (in the County of Devon).

WHEREAS the Local Board for the District of Bideford, in the County of Devon, have, under the provisions of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow a sum or sums altogether not to exceed an amount of Seventeen thousand Pounds, which will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed, for works of a permanent nature for the Drainage of and Supply of Water to their District:

And whereas, after due inquiry and report by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board in and for the District of Bideford, in the County of Devon, shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature in the exercise of their powers as such Local Board within such District, and on mortgage of the rates leviable by them as such, a sum or sums which shall not exceed in the whole two years' assessable value of the premises assessable under the Local Government, Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twenty-third day of November One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

CANTERBURY.

CANTERBURY.

Provisional Order to make Provision for ascertaining the Value of Property, &c. of the late Pavement Commissioners of Canterbury, and for other Purposes therein set forth.

WHEREAS on Petition of the Council of the City and Borough of Canterbury, who have duly adopted the Local Government Act, 1858, in and for the said City and Borough, (the said Council acting as a Local Board under and for the purposes of such Act,) a Provisional Order has been prepared, bearing date 2d March 1866, duly confirmed by "The Local Government Supplemental Act, 1866," making certain alterations, amendments, and partially repealing certain Local Acts in force within the said District having relation to the purposes of the Local Government Act aforesaid, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and for other purposes in such petition set forth:

And whereas certain of those Local Acts, viz., those of 27 Geo. 3. cap. 14. 4 & 5 Vict. cap. 66. and 7 & 8 Vict. cap. 53. (generally styled the Canterbury Pavement Acts,) were by the said Provisional Order, confirmed as aforesaid, partially repealed, altered, and amended, and further provisions with respect thereto will be requisite: A Petition has been duly presented by the Local Board of Canterbury aforesaid to the Right Honourable Spencer Horatio Walpole, M.P., as one of Her Majesty's Principal Secretaries of State, praying that a Provisional Order may be prepared, making provision for ascertaining the value of the property of the Commissioners lately acting under the aforesaid Canterbury Pavement Acts with respect to their debts: And whereas the said Petition set forth that the Canterbury Local Board are desirous that, in consequence of the partial repeal, &c. of the aforesaid Pavement Acts, provision should be made for ascertaining the value of the property and estate of the said late Commissioners of Pavements to be vested in the Canterbury Local Board, and the amount of their debts, charges, and liabilities, and for transferring such property and estate to the said Local Board subject thereto:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local "Canterbury Pavement Acts" shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Acts, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

2.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board

Board upon the same trusts and for the same purposes as by such Commissioners.

3.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

4.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

5.—Provided also, that whenever the said Local Board may think it necessary it shall be lawful for the said Local Board to select a competent Engineer or Surveyor, to whom, with the sanction of one of Her Majesty's Principal Secretaries of State, the duty shall be entrusted to ascertain the value of the street pavements, roads, sewers, drains, and any other property and estate belonging to the late Canterbury Pavement Commissioners acting under the provisions of the hereinbefore recited Canterbury Pavement Acts, and also the amount of their debts, charges, and liabilities.

Given under my hand this Twenty-first day of December One thousand eight hundred and sixty-six.

(Signed) S. H. Walpole.

CHEPPING WYCOMBE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Chepping Wycombe Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Chepping Wycombe (otherwise High Wycombe), in the County of Buckingham, acting as the Local Board in and for the Borough aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, an Act passed in the fifty-third year of the reign of His late Majesty King George the Third (cap. 164.), intituled "An Act for paving, widening, "cleansing, watching, lighting, and regulating the streets and other public "places within the Borough of Chepping Wycombe, in the County of Bucks, "and for removing and preventing nuisances and obstructions therein:"

And whereas, in pursuance of the said Local Government Act, 1858, and after full consideration of the several matters mentioned in the said Petition, it

appears expedient to issue a Provisional Order in relation to the said matters; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the fifty-third year of the reign of King George the Third (cap. 164.), specified in the Schedule hereunto annexed, shall be repealed so far as the provisions thereof apply to and are in force within the limits of the aforesaid District of the Borough of Chepping Wycombe.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

3.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners.

4.—All debts, liabilities, monies, and securities for money contracted or payable by such Commissioners shall be charged upon the rates leviable under the said Local Government Act, 1858, and be paid and satisfied by the said Local Board out of such rates accordingly.

Given under my hand this First day of February One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

Schedule to which this Order refers.

The parts of the Local Act, 53 Geo. 3. (cap. 164.), herein-before referred to in this Order to be repealed, are as follows; that is to say,—

The sections of the said Local Act numbered respectively in the copies thereof printed by the King's Printers 1 to 26, both inclusive; 29 to 32, both inclusive; 35; 39 to 44, both inclusive; and 48 to 63, both inclusive.

WORTHING.

Provisional Order for the Alteration of the Provisional Order applying the Public Health Act, 1848, to the Town of Worthing, in the County of Sussex.

WHEREAS, upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Town of Worthing, in the County of Sussex, and within the boundaries of the said Town as fixed for the purposes of the Local Act 1 & 2 Geo. 4. c. 59., intituled "An Act to "repeal two Acts made in the Forty-third and Forty-ninth Years of His late "Majesty, for paving the Town of Worthing, in the County of Sussex, and esta- "blishing a Market therein, and for making other provisions in lieu thereof; for "erecting Groyns, for laying a Duty on Coals imported into the said Town, "and for other Purposes relating to the Improvement of the said Town," the Public Health Act, 1848, was duly applied to the District of Worthing aforesaid by a Provisional Order of the General Board of Health, bearing date the 17th day of January 1852, confirmed by the Public Health Supplemental Act, 1852:

And whereas by that Provisional Order the number of members of the Local Board of Health was fixed at nine, to be elected for the whole of such District:

And whereas the Local Board of Health for the said District have, in pursuance of the Local Government Act, 1858, (Sect. 77,) presented a petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration of the aforesaid Provisional Order in so far as it relates to the number of members to constitute the Local Board of Health for such District:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in respect of the matters mentioned in the said Petition; and it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that at the first election of members of the Worthing Local Board of Health after the passing of any Act of Parliament confirming this Order—

1.—Nine members shall be elected to serve on the said Local Board for the whole of the said District, and the number of the said Board shall, from the date of the said election, be fifteen, anything in the Provisional Order aforesaid to the contrary notwithstanding.

2.—One third of the fifteen members constituting the Local Board of Health as aforesaid shall go out of office on the 5th day of August in every year; and the said Local Board shall decide, by such mode as they shall themselves determine, the order of retirement of the five members to retire annually, until the order of retirement can be determined by the expiration of service on the Local Board, as directed by the said Public Health Act, 1848.

Given under my hand this Fifteenth day of February 1867.

(Signed) S. H. WALPOLE.

WEDNESFIELD.

Provisional Order for altering a Provisional Order relating to the District of Wednesfield, in the County of Stafford, under the Provisions of the Local Government Act, 1858.

WHEREAS a Provisional Order has been duly confirmed by the Local Government Supplemental Act, 1866 (No. 3), altering the then existing boundary of the District of Wednesfield, in the County of Stafford:

And whereas by such Provisional Order as aforesaid the number of members of the Local Board to be elected under the Local Government Act, 1858, was altered from fifteen to nine, the entire number to be elected for the whole of such District:

And whereas the Local Board for the said District have, in pursuance of the Local Government Act, 1858, (Sect. 77,) petitioned me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration of the aforesaid Provisional Order in so far as such Order relates to the number of members to constitute such Local Board; and it appears expedient to issue a Provisional Order in relation thereto; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

The number of members to constitute the Local Board for the present District of Wednesfield shall be fifteen, anything in the first herein-before mentioned Provisional Order, and in the Act confirming the same Order as aforesaid, to the contrary notwithstanding; and one third in number of the fifteen members of such Board shall annually go out of office, as was the case prior to the confirmation of the Provisional Order bearing date the Twentieth day of March 1866 by the Local Government Supplemental Act, 1866, (No. 3); and the Order in which the persons to be elected at the next election of members of the said Local Board shall go out of office shall be regulated by such Local Board.

Given under my hand this Twenty-sixth day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXII.

An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."

[31st *May* 1867.]

WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any Validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: 24 & 25 Vict. c. 133.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That the Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament of the like Force and Effect as if the Provisions of the same had been enacted in the Body of this Act. Provisional Order in Schedule confirmed.

2. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1867." Short Title.

SCHEDULE to which this Act refers.

In the Matter of North Moor Improvement, situate in the Parishes of North Petherton, Bridgwater, Lyng, and Durston, in the County of Somerset.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order under our seal, constitute the lands which are delineated on a Map authenticated under our hands and seal as the Map referred to in this Provisional Order, and intituled the North Moor Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And We do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:—

That the Drainage Board for the said District shall consist of twelve Members.

That the following persons shall be the Members of the first Drainage Board:—The Lord Portman, of Bryanston, Dorset; Richard King Meade King, of Walford, Somerset, esquire; James Collings, of North Petherton, Somerset, yeoman; Jonathan Colmer Colthurst, of North Petherton, yeoman; Thomas Burston, of North Petherton, yeoman; Benjamin Turner, of North Petherton, yeoman; Henry Hall Foster, of North Petherton, yeoman; George Perratt Hodges, of North Petherton, yeoman; Thomas Mullins, of Goathurst, esquire; James Turner, of Lyng, yeoman; Alfred Lovibond, of Middlezoy, esquire; and Charles Boon, of Lyng, yeoman.

That the first meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the District, and posted on the church doors of the above-mentioned parishes at least fourteen days before the day of meeting.

That the qualification of any subsequent Member of the said Board shall be that he shall be the proprietor of not less than twenty acres of land within the area of the said District; or, secondly, the heir apparent of the proprietor of an estate of not less than twenty acres in extent within the area of the said District; or, thirdly, occupying tenant, yearly or otherwise, of not less than thirty acres within the area of the said District; or, fourthly, the agent of a proprietor of an estate of not less than twenty acres of land within the area of the said District, such agent acting under a written appointment.

That the Members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the persons who have, during the year immediately preceding such Election, been rated

to

to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof, We have hereunto set our Official Seal, this Fourteenth day of March One thousand eight hundred and sixty-seven.

L.S.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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fied in that Behalf in the said Schedules respectively, and where no Date is specified for the Commencement of any Duty the same shall commence and take effect from the passing of this Act, and where no Period is specified for the Duration of any Duty the same shall continue to be charged, collected, and paid until Parliament shall otherwise order; and the said Schedules shall be deemed to be Part of this Act.

Provisions of former Acts to apply to Duties under this Act.

2. All the Powers, Provisions, Allowances, Exemptions, Forfeitures, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to Customs Duties and Stamp Duties, and in force at the Time of the passing of this Act, and relating to the Duty of Income Tax, and in force on the Fifth Day of *April* One thousand eight hundred and sixty-seven, shall respectively be in full Force as to the said Duties granted by this Act, so far as the same are applicable, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties, and otherwise in relation thereto, so far as the same shall not be repealed or superseded by and shall be consistent with the Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein expressly enacted with reference to the said Duties respectively.

As to Stamp Duty on Sea Insurances.

Repeal of Acts in Schedule (D.)

3. On the passing of this Act the Stamp Duties now payable for Policies of Sea Insurance shall cease and determine, and the several Acts and Parts of Acts specified in the Schedule marked (D.) to this Act annexed are hereby repealed, save so far as respects any Policy made prior to the passing of this Act, and as respects any Forfeiture or Penalty incurred in respect of any Offence against any Enactment so repealed.

Interpretation of Terms.

4. In this Act the Expression "Sea Insurance" means any Insurance (including Re-insurance) made upon any Ship or Vessel, or upon the Machinery, Tackle, or Furniture of any Ship or Vessel, or upon any Goods, Merchandise, or Property, of any Description whatever, on board of any Ship or Vessel, or upon the Freight of or any other Interest which may be lawfully insured in or relating to any Ship or Vessel; and the Word "Policy" means any Instrument whereby a Contract or Agreement for any Sea Insurance is made or entered into.

Commissioners to provide

5. The Commissioners of Inland Revenue shall provide Blank Policies, printed on Paper, in the Form set forth in Schedule (E.) to this

this Act, and stamped to denote the Duty payable under this Act; and any Person may buy such Blank Policies, stamped with the Duty which he may require, at the Price of such Duty: Provided always, that before any such stamped Blank Policies shall be issued, and before any Vellum, Parchment, or Paper which may be brought to be stamped shall be delivered out stamped by any Officer of Inland Revenue, he shall mark or write thereon the Day, Month, and Year of such Issue or Delivery, and if he wilfully neglect so to do he shall forfeit the sum of One hundred Pounds. stamped Forms of Policies.

6. The said Commissioners shall keep an Office within the City of *London* for the Distribution of Blank Policies, stamped as aforesaid, to Persons carrying on the Business of Insurance within the said City, and purchasing the same, subject to the usual Allowance made on Purchase of Stamps. Office in London for distributing stamped Forms of Policies.

7. No Contract or Agreement for Sea Insurance (other than such Insurance as is referred to in the Fifty-fifth Section of "The Merchant Shipping Act Amendment Act, 1862,") shall be valid unless the same is expressed in a Policy; and every Policy shall specify the particular Risk or Adventure, the Names of the Subscribers or Underwriters, and the Sum or Sums insured; and in case any of the above-mentioned Particulars shall be omitted in any Policy, such Policy shall be null and void to all Intents and Purposes. Contract for Insurance to be in Writing, and to specify certain Particulars.

8. No Policy shall be made for any Time exceeding Twelve Months, and every Policy which shall be made for any Time exceeding Twelve Months shall be null and void to all Intents and Purposes. No Policy to be made for more than Twelve Months.

9. No Policy shall be pleaded or given in Evidence in any Court, or admitted in any Court to be good or available in Law or in Equity, unless duly stamped; and it shall not be lawful for the said Commissioners or any Officer of Inland Revenue to stamp any Policy at any Time after it is signed or underwritten by any Person, on any Pretence whatever, except in the Two Cases following; that is to say, No Policy valid unless duly stamped.

1st. Any Policy of mutual Insurance having a Stamp or Stamps impressed thereon may, if required, be stamped with an additional Stamp or Stamps, provided that at the Time such additional Stamp or Stamps shall be required the Policy shall not have been signed or underwritten to an Amount exceeding the Sum or Sums which the Stamp or Stamps previously impressed thereon will warrant: Exception in case of certain mutual Insurances;

2nd. Any

and in case of Policies made abroad.

2nd. Any Policy made abroad, and chargeable with Duty by virtue of the Fifteenth Section of the Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty's Reign, Chapter Ninety-six, may be stamped within the Time specified in that Act.

Legal Alterations in Policies may be made under certain Restrictions.

10. Nothing in this Act shall extend or be construed to extend to prohibit the making of any Alteration which may lawfully be made in the Terms and Conditions of any Policy after the same shall have been underwritten; provided that such Alteration be made before Notice of the Determination of the Risk originally insured, and that it shall not prolong the Time covered by the Insurance thereby made beyond the Period of Six Months in the Case of a Policy made for a less Period than Six Months, or beyond the Period allowed by this Act in the Case of a Policy made for a greater Period than Six Months, and that the Articles insured shall remain the Property of the same Person or Persons, and that no additional or further Sum shall be insured by reason or means of such Alteration.

Policies for Voyage and Time chargeable with Two Duties.

11. Where any Sea Insurance is made for a Voyage and also for Time, or to extend to or cover any Time beyond Twenty-four Hours after the Ship shall have arrived at her Destination and been there moored at Anchor, the Policy shall be chargeable with Duty as a Policy for a Voyage, and also with Duty as a Policy for Time.

As to Insurances by Carriers.

12. Where any Carrier by Sea or other Person shall, in consideration of any Sum of Money paid or to be paid for additional Freight or otherwise, agree to take upon himself any Risk attending Goods, Merchandise, or Property of any Description whatever while on board any Ship or Vessel, or engage to indemnify the Owner of any such Goods, Merchandise, or Property from any Risk, Loss, or Damage, such Agreement or Engagement shall be deemed to be a Contract for a Sea Insurance.

Penalty on assuring unless Policy duly stamped.

13. If any Person shall become an Assurer upon any Sea Insurance, or shall subscribe or underwrite, or otherwise sign or make, or enter into any Contract, Agreement, or Memorandum, for or of any Sea Insurance, or shall receive or contract for any Premium or Consideration for any Sea Insurance, or shall receive or charge, or take Credit in Account for any such Premium or Consideration as aforesaid, or any Sum of Money as or for any such Premium or Consideration as aforesaid, or shall wilfully or knowingly take upon himself any Risk, or render himself liable to

pay,

pay, or shall pay or allow, or agree to pay or allow, in account or otherwise, any Sum of Money upon any Loss, Peril, or Contingency relative to any Sea Insurance, unless such Insurance shall be written on Vellum, Parchment, or Paper duly stamped, or if any Person shall be concerned in any fraudulent Contrivance or Device, or shall be guilty of any wilful Act, Neglect, or Omission, with Intent to evade the Duties payable on Policies under this Act, or whereby the Duties may be evaded, every Person so offending shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty on Persons effecting Insurance unless duly stamped.

14. Every Person who shall make or effect, or knowingly procure to be made or effected, any Sea Insurance, or shall give or pay, or render himself liable to pay, any Sum of Money, Premium, or Consideration whatever in the Nature of a Premium for or upon any Sea Insurance, or shall enter into any Contract or Agreement whatever for any Sea Insurance, unless the same Insurance, Contract and Agreement for Insurance, respectively, shall be written on Vellum, Parchment, or Paper, being first duly stamped, shall for every such Offence forfeit and pay the Sum of One hundred Pounds; and every Broker, Agent, or other Person negotiating or transacting any Sea Insurance contrary to the true Intent and Meaning of this Act, or writing any Agreement for any Sea Insurance upon Vellum, Parchment, or Paper not duly stamped, shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty for issuing a Copy of Policy where no Policy.

15. If any Person shall make or issue, or cause to be made or issued, any Document purporting to be a Copy of a Policy, and there shall not be in existence, at the Time of such making or Issue, a Policy duly stamped whereof the said Document shall be a Copy, he shall for such Offence forfeit the Sum of One hundred Pounds in addition to any other Penalty which he may have incurred under this Act.

Brokerage not to be a legal Charge unless Policy duly stamped.

16. It shall not be lawful for any Broker, Agent, or other Person negotiating or transacting or making any Sea Insurance to charge his Employer any Sum of Money for Brokerage or Agency, or for his Pains or Labour in negotiating, transacting, or making such Insurance, or writing the same, or for any Monies expended or paid by way of Premium or Consideration in the Nature of a Premium for such Insurance, unless the same shall be written on Vellum, Parchment, or Paper, duly stamped; and all and every Sum and Sums whatever paid by such Employer on any such Account to any Broker, Agent, or other Person negotiating

or transacting or making any Insurance contrary to this Act shall be deemed to be paid without Consideration, and shall remain the Property of such Employer, his Executors, Administrators, or Assigns.

Allowance may be made in the Case specified.

17. Where a Policy shall be inadvertently filled up in an incorrect or improper Manner, or be obliterated or otherwise spoiled and rendered unfit for Use, or shall be filled up for some Insurance which shall not be proceeded in, and the same shall not be signed by any Underwriter, but in no other Case, it shall be lawful for the said Commissioners to allow as spoiled, and to cancel, the Stamps on such Policy, provided that Application shall be made for the Allowance within Six Months after such Policy shall be spoiled or become useless; and the Enactments now in force with reference to the Allowance of spoiled Stamps shall, so far as the same are applicable, extend to the Allowance herein-before mentioned.

Officers of Inland Revenue may be authorized to examine Claims for Allowances.

18. The said Commissioners may authorize any Officer or Officers of Inland Revenue to receive and examine the Claims made for such Allowance as aforesaid, and to take Affidavits and Affirmations relating thereto, and to administer the proper Oaths and Affirmations for that Purpose, and to do all or any Act or Acts respecting such Claims which the Commissioners themselves are authorized to do.

As to Income Tax.

Sections 6 & 7 of 29 Vict. c. 36. not to apply, &c.

19. Nothing herein contained shall continue or be construed to continue the Provisions contained in the Sixth and Seventh Sections of the Act passed in the Twenty-ninth Year of Her Majesty's Reign, Chapter Thirty-six; and for the Purposes of this Act the Year One thousand eight hundred and sixty-two mentioned in the Forty-third Section of the Act passed in the Twenty-fifth Year of Her Majesty's Reign, Chapter Twenty-two, shall be read as and deemed to mean the Year One thousand eight hundred and sixty-seven.

SCHEDULES.

SCHEDULE (A.)

CONTAINING the DUTIES of CUSTOMS granted by this Act.

The Duties of Customs now charged on Tea shall continue to be levied and charged—

On and after the First Day of August One thousand eight hundred and sixty-seven until the First Day of August One thousand eight hundred and sixty-eight, on the Importation thereof into Great Britain and Ireland; that is to say,

		£	s.	d.
Tea - - - - - -	the lb.	0	0	6

SCHEDULE (B.)

CONTAINING the STAMP DUTIES granted by this Act.

	s.	d.
For every Policy of Sea Insurance for or upon any Voyage—		
In respect of every full Sum of One hundred Pounds and in respect of any fractional Part of One hundred Pounds thereby insured - - - - -	0	3
For every Policy of Sea Insurance for Time—		
In respect of every full Sum of One hundred Pounds and in respect of any fractional Part of One hundred Pounds thereby insured—		
Where the Insurance shall be made for any Time not exceeding Six Months - - - - -	0	3
Where the Insurance shall be made for any Time exceeding Six Months and not exceeding Twelve Months - -	0	6

But if the separate and distinct Interests of Two or more Persons shall be insured by One Policy for a Voyage or for Time, then the Duty of Threepence or the Duty of Threepence or Sixpence, as the Case may require, shall be charged thereon in respect of every full Sum of One hundred Pounds and every fractional Part of One hundred Pounds thereby insured upon any separate or distinct Interest.

SCHE-

SCHEDULE (C.)

Containing the Duties of Income Tax granted by this Act.

For One Year commencing on the Sixth Day of April One thousand eight hundred and sixty-seven, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Duties shall be charged; (that is to say,)

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B.) of the said Act), the Duty of Fourpence:

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof —

In England the Duty of Twopence:

And in Scotland and Ireland respectively the Duty of One Penny Halfpenny:

Subject to the Provisions contained in Section Three of the Act Twenty-sixth Victoria, Chapter Twenty-two, for the Exemption of Persons whose whole Income from every Source is under One hundred Pounds a Year, and Relief of those whose Income is under Two hundred Pounds a Year.

SCHEDULE (D.)

Containing the Enactments repealed by this Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
11 Geo. 1. c. 30. -	An Act for more effectual preventing Frauds and Abuses in the Publick Revenues, &c. &c.	Section 44.
19 Geo. 2. c. 37. -	An Act to regulate Insurance on Ships belonging to the Subjects of Great Britain, and on Merchandise or Effects laden thereon.	Section 4.
35 Geo. 3. c. 63. -	An Act for granting to His Majesty certain Stamp Duties on Sea Insurances.	The whole Act.
39 & 40 Geo. 3. c. 72.	An Act to amend several Laws relating to the Duties on stamped Vellum, Parchment, and Paper.	Sections 8, 9, 10, 11, and 12.
54 Geo. 3. c. 133. -	An Act for enabling the Commissioners of Stamps to make Allowances for spoiled Stamps on Policies of Insurance in Great Britain, and for preventing Frauds relating thereto.	The whole Act.

Customs and Inland Revenue.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
54 Geo. 3. c. 144. -	An Act for better securing the Stamp Duties on Sea Insurances made in London, &c. &c.	The whole Act, except Sections 13 and 14.
9 Geo. 4. c. 49. -	An Act to amend the Laws in force relating to the Stamp Duties on Sea Insurances, &c. &c.	Section 1.
5 & 6 Vict. c. 82. -	An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the 10th Day of October 1845.	Sections 22, 23, 24, 25, 26, 27, 28, 29, and 30.
7 Vict. c. 21. - -	An Act to reduce the Stamp Duties on Policies of Sea Insurance, &c. &c.	Section 4 and the Schedule.
27 & 28 Vict. c. 56. -	An Act for granting to Her Majesty certain Stamp Duties, and to amend the Laws relating to the Inland Revenue.	Section 1.
28 & 29 Vict. c. 96. -	An Act to amend the Laws relating to the Inland Revenue.	Sections 8 and 9.

SCHEDULE (E.)

Form of Policy.

S.G.

Be it known that
as well in own Name, as for and in the Name and Names of all and every other Person or Persons to whom the same doth, may, or shall appertain, in part or in all, doth make assurance and cause
and them and every of them, to be insured, lost or not lost, at and from

vered the
of
.
No. .

upon any Kind of Goods and Merchandises, and also upon the Body, Tackle, Apparel, Ordnance, Munition, Artillery, Boat and other Furniture, of and in the good Ship or Vessel called the
whereof is Master, under God for this present Voyage,

or whosoever else shall go for Master in the said Ship, or by whatsover other Name or Names the same Ship, or the Master thereof, is or shall be named or called, beginning the Adventure upon the said Goods and Merchandises from the loading thereof aboard the said Ship

upon the said Ship, *&c.*

and shall so continue and endure, during her Abode there, upon the said Ship, *&c.*; and further, until the said Ship, with all her Ordnance, Tackle, Apparel,

Apparel, *&c.*, and Goods and Merchandises whatsoever, shall be arrived at

upon the said Ship, *&c.*, until she hath moored at Anchor Twenty-four Hours in good Safety, and upon the Goods and Merchandises until the same be there discharged and safely landed; and it shall be lawful for the said Ship, *&c.* in this Voyage to proceed and sail to and touch and stay at any Ports or Places whatsoever

without Prejudice to this Insurance. The said Ship, *&c.*, Goods and Merchandises, *&c.*, for so much as concerns the Assured, by Agreement between the Assured and Assurers in this Policy, are and shall be valued at

Touching the Adventures and Perils which we the Assurers are contented to bear and do take upon us in this Voyage, they are, of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Countermart, Surprisals, Takings at Sea, Arrests, Restraints and Detainments of all Kings, Princes, and People, of what Nation, Condition, or Quality soever, Barretry of the Master and Mariners, and of all other Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Goods and Merchandises and Ship, *&c.*, or any Part thereof; and in case of any Loss or Misfortune it shall be lawful to the Assured, their Factors, Servants, and Assigns, to sue, labour, and travel for, in, and about the Defence, Safeguard, and Recovery of the said Goods and Merchandises and Ship, *&c.*, or any Part thereof, without Prejudice to this Insurance; to the Charges whereof we, the Assurers, will contribute each one according to the Rate and Quantity of his Sum herein assured. And it is agreed by us, the Insurers, that this Writing or Policy of Assurance shall be of as much Force and Effect as the surest Writing or Policy of Assurance heretofore made in Lombard Street, or in the Royal Exchange, or elsewhere in London. And so we the Assurers are contented, and do hereby promise and bind ourselves, each one for his own Part, our Heirs, Executors, and Goods, to the Assured, their Executors, Administrators, and Assigns, for the true Performance of the Premises, confessing ourselves paid the Consideration due unto us for this Assurance by the Assured

at and after the Rate of

In witness whereof, we the Assurers have subscribed our Names and Sums assured in

N.B.—Corn, Fish, Salt, Fruit, Flour, and Seed are warranted free from Average, unless general, or the Ship be stranded; Sugar, Tobacco, Hemp, Flax, Hides, and Skins are warranted free from Average under Five Pounds per Cent.; and all other Goods, also the Ship and Freight, are warranted free from Average under Three Pounds per Cent., unless general, or the Ship be stranded.

LONDON:
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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXIV.

An Act to amend an Act of the Twenty-eighth and Twenty-ninth Years of Her present Majesty, Chapter Sixty-one, for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal.

[31st *May* 1867.]

WHEREAS by an Act of the Session of the Twenty-eighth and Twenty-ninth Years of the Reign of Her present Majesty it is amongst other things enacted, that such Sum or Sums as may be paid out of the Consolidated Fund, or the growing Produce thereof, as in the said Act mentioned, shall be applied as mentioned in the Schedule to that Act towards defraying the Expense incurred or to be incurred in constructing Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at *Hawlbowline* and the Fortifications at *Dover* and *Portland*), and in purchasing the Land and Rights in Land that 28 & 29 Vict. c. 61.

 may

may be required for the Purpose of such Fortifications and Works, and that the Commissioners of Her Majesty's Treasury shall apply such Sums accordingly; and by the said Act it is provided, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule to the said Act, nor to apply to any Work any greater Sum than that which is set down in such Schedule as the total estimated Cost of the Work:

And whereas it is found necessary and expedient to alter and amend the said Act with reference to the Sums of Money to be expended on the several Works mentioned in the Schedule to the said Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Enactment repealed.

1. The above-mentioned Enactment of the said Act shall be and the same is hereby repealed.

Application of Monies.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as in the said recited Act mentioned, shall be applied, as mentioned in the Schedule to this Act, towards defraying the Expenses incurred or to be incurred in constructing the Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at *Hawlbowline*, and the Fortifications at *Dover* and *Portland*), and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works, and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule to this Act, nor to apply to any Work any greater Sum than that which is set down in that Schedule as the total estimated Cost of the Work.

SCHEDULE.

Station.	District.	Name of Work.	Estimated Cost in Schedule of 28 & 29 Vict. c. 61.	Revised Estimate sanctioned by this Enactment.
			£	£
Portsmouth -	Spithead and Sea Defences:			
	Outer Line -	Horse Sand Fort - -	260,000	365,000
		No Man's Land - -	290,000	406,000
		Other Spithead Work -	310,000	293,000
		Puckpool and St. Helen's Batteries.	87,000	145,000
	Inner Line -	Gilkicker Battery - -	50,000	58,000
		Southsea Castle - -	55,000	60,000
		Eastney Batteries - -		
		Lumps Battery - - -		
	Defences of Needles Passage.	Hurst Castle - - -	108,000	110,000
		Needles Battery - -	80,000	90,000
		Hatherwood - - -		
		Warden Point - -		
		Cliff End - - - -		
		Golden Hill - - -		
	Isle of Wight: Coast Defences	Sandown Bay Defences -	140,000	145,000
		Military Road and Posts for Defence of South-west Coast		
	Land Defences:			
	Outer Line -	Fort Purbrook and Out-works	535,000	550,000
		Fort Widley - - -		
		Fort Southwick - -		
		Fort Nelson - - -		
		Fort Wallington - -		
		Fort Fareham - - -		
	Inner Line -	Hilsea Lines - - -	308,000	318,000
		Fort Grange - - -		
		Fort Rowner - - -		
		Fort Brockham - - -		
		Stokes Bay Lines - -		
Plymouth -	Harbour Defences:			
	Outer Line -	Staddon Point Battery -	60,000	60,000
		Breakwater Battery - -	145,000	155,000
		Picklecombe Battery - -	80,000	87,000
		Cawsand Bay - - -	13,000	13,000
	Inner Line -	Mount Edgecumbe Battery -	47,000	47,000
		Drake's Island Battery -		
		Western King Battery -		
		Eastern King Battery - -		
	Land Defences:			
	Antony -	Fort Tregantle - - -	260,000	260,000
		Fort Scraesdon - -		
	Maker - -	Knatterbury - - -	35,000	15,000
		Whitesand Bay - - -		
		Maker Barrack - -		
	N.E. Division	North-eastern Defences -	350,000	518,000
	Staddon Fort -	Staddon Fort - - -	168,000	
		Fort Stamford - -		
	Devonport -	Devonport Lines - -	10,000	10,000

Fortifications (Provision for Expenses).

Station.	District.	Name of Work.	Estimated Cost in Schedule of 28 & 29 Vict. c. 61.	Revised Estimate sanctioned by this Enactment.
			£	£
Pembroke -	Milford Haven : Sea Defences -	Stack Rock Fort - -	216,000	225,000
		South Hook Battery - -		
		Hubberstone Battery - -		
		Popton Battery - -		
		Chapel Bay Battery - -		
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	50,000
		Works to Southward of Milford Haven.	80,000	50,000
Portland -	Portland - -	Verne Citadel and Batteries connected therewith.	120,000	125,000
		Nothe Fort - - -	87,000	90,000
		Breakwater Batteries - -	145,000	205,000
Gravesend -	Thames - -	Coalhouse Fort - -	90,000	164,000
		Cliffe Fort - - -	80,000	121,000
		Shornmead - - -	80,000	118,000
		Slough Battery - -	20,000	23,000
Medway and Sheerness.	Sea Defences -	Isle of Grain - - -	180,000	227,000
		Garrison Point - -		
		Hoo Fort - - -	109,000	128,000
		Darnet Fort - - -		
	Works in front of Mile Town.	Works in front of Mile Town	40,000	40,000
Chatham -	Eastern - -	Eastern Defences - -	500,000	—
Dover -	Dover - -	Castle Hill Fort - -	278,000	285,000
		Dover Castle - - -		
		Western Heights - -		
Cork -	Cork - -	Spike Island Defences -	10,000	10,000
		Carlisle Fort - - -	79,000	79,000
		Camden Fort - - -	70,000	70,000
		Total Works -	5,625,000	5,715,000
Incidental Expenses (Works and Experiments) - - -			140,000	165,000
Site for Central Arsenal - - - - - -			150,000	—
Lands, including Cost of Surveys, Surveyors Charges, legal and other incidental Expenses - - - - - - - -			1,080,000	1,115,000
		Total £	6,995,000	6,995,000

LONDON:

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXV.

An Act to further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to empower the Lord Lieutenant or other Chief Governor or Governors of* Ireland *to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government. [31st *May* 1867.]

WHEREAS an Act was passed in the last Session of Parliament, Chapter One, intituled *An Act to empower the Lord Lieutenant or other Chief Governor or Governors of* Ireland *to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government:* 29 & 30 Vict. c. 1.

And whereas by an Act passed in the same Session of Parliament, Chapter One hundred and nineteen, the Powers and Provisions of the said first-recited Act were continued until the Expiration of Twenty-one Days after the Commencement of the present Session: 29 & 30 Vict. c. 119.

Habeas Corpus Suspension (Ireland) Act Continuance (No. 2.)

And whereas by an Act passed in the present Session of Parliament, Chapter One, intituled *An Act to further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower the Lord Lieutenant "or other Chief Governor or Governors of* Ireland *to apprehend, "and detain for a limited Time, such Persons as he or they shall "suspect of conspiring against Her Majesty's Person and Govern-"ment,"* the Powers and Provisions of the said first-recited Act were continued until the First Day of *June* One thousand eight hundred and sixty-seven, and it is expedient to continue the same for a further limited Period:

30 Vict. c. 1.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of 29 & 30 Vict. c. 1.

1. The first-recited Act, and the several Powers and Provisions therein contained, shall continue in force until the First Day of *March* One thousand eight hundred and sixty-eight, and the said Act shall be construed as if the Words "until the First Day of *March* "One thousand eight hundred and sixty-eight" were throughout the said Act substituted for the Words "until the First Day of "*September* One thousand eight hundred and sixty-six."

All Prisoners under this Act to be treated as untried Prisoners.

2. All Prisoners at present in Confinement under the Warrant of the Lord Lieutenant of *Ireland* by virtue of the Powers of the first-recited Act, or who shall be hereafter arrested and committed to Prison in pursuance of same or of this Act, shall while in such Confinement be treated as untried Prisoners.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXVI.

An Act to provide for the Conversion of Twenty-four million Pounds Sterling of the National Debt into Terminable Annuities.

[31st *May* 1867.]

WHEREAS it is expedient to make further Provision for the gradual Reduction of the National Debt:

And whereas by an Act passed in the Twenty-sixth Year of Her present Majesty, Chapter Twenty-five, it was enacted, that in place of certain Capital Stocks of Annuities standing in the Names of the Commissioners for the Reduction of the National Debt for Savings Banks, and by the said Act cancelled, consisting of Eighteen million Pounds of New Three *per Cent.* Annuities and Three *per Cent.* Reduced Annuities, and of Six million Pounds of Consolidated Three *per Cent.* Annuities, a Charge should be created and be written into the Books of Her Majesty's Treasury, and at the Receipt of the Exchequer for Savings Banks, of Twenty-four million Pounds Sterling, bearing Interest at Three Pounds *per Centum per Annum*, payable out of the Consolidated Fund: 26 & 27 Vict. c. 25.

And whereas it is expedient for such Purpose to convert the said Sum of Twenty-four million Pounds and the Interest payable thereon into equivalent Annuities for a Term or Terms of Years:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Charge of 24,000,000*l.* on Consolidated Fund to be cancelled and Terminable Annuities created.

1. The Commissioners of Her Majesty's Treasury may, by Warrants under their Hands, order and direct that the Sums of Eighteen million Pounds and Six million Pounds, making up the said Charge of Twenty-four million Pounds on the Consolidated Fund, shall be cancelled in the Books of the Treasury and in the Books of the Exchequer and Audit Department; and upon the Issue of such Warrants the Proportions of such Charge shall be so cancelled accordingly, and all Interest thereupon shall thenceforth cease to be payable, and in place of such Sums and the annual Interest thereon, the Commissioners of Her Majesty's Treasury shall by such Warrants create for Savings Banks Terminable Annuities for such Number of Years not exceeding Twenty as shall to the said Commissioners appear to be expedient.

Investment of Surplus Annuities.

2. The Commissioners for the Reduction of the National Debt shall apply from Time to Time such Parts of any Terminable Annuities created under the Authority of this Act as shall not be required to pay the Demands of the Trustees of Savings Banks in the Purchase of Capital Stocks of Perpetual Annuities, or of such other Parliamentary Securities as the Commissioners for the Reduction of the National Debt are now by Law empowered to purchase with other Monies received from Savings Banks.

Payable out of Consolidated Annuities.

3. The Terminable Annuities created by Authority of this Act shall be charged upon the Consolidated Fund, and shall be payable to the Commissioners for the Reduction of the National Debt out of the said Consolidated Fund, or out of the growing Produce thereof, at such quarterly or half-yearly Periods as shall be fixed by the Warrants creating such Annuities.

Amount of Terminable Annuities to be granted to be certified by Comptroller General and Actuary of National Debt Office.

4. The Amount of the said equivalent Terminable Annuities so to be granted shall be certified to the said Commissioners of the Treasury under the Hands of the Comptroller General or Assistant Comptroller, and of the Actuary of the National Debt Office acting under the said Commissioners for the Reduction of the National Debt, and shall be ascertained according to the Tables for the Time being in force in relation to the Grant of Annuities by the said Commissioners under the Act of the Tenth Year of King *George* the Fourth, Chapter Twenty-four.

5. The

National Debt.

Terminable Annuities to be inscribed in Books of Bank of England.

5. The Terminable Annuities created under the Authority of this Act shall be inscribed by the Governor and Company of the Bank of *England* in the Books of the said Governor and Company for the Commissioners for the Reduction of the National Debt for Savings Banks, and the Warrants of the Commissioners of Her Majesty's Treasury issued under the Authority of this Act shall be sufficient Authority to the said Governor and Company for inscribing such Annuities in the Books of the said Governor and Company for the said Commissioners for the Fund for the Banks for Savings; and Copies of all such Warrants shall be laid before both Houses of Parliament, if Parliament shall be then sitting, within Ten Days from the Dates thereof, and if not sitting, within Ten Days from the next re-assembling of Parliament.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXVII.

An Act to allow Warehoused *British* Spirits to be bottled for Home Consumption.

[17th *June* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

British Spirits in Customs or Excise Warehouse may be bottled for Home Consumption.

1. Any plain *British* Spirits or compounded *British* Spirits deposited in an Excise Warehouse may be removed, bottled, and packed for Home Consumption under and subject to the same Provisions and Regulations as are contained in or authorized by the Act of the Twenty-seventh Year of Her Majesty's Reign, Chapter Twelve, in relation to bottling and packing plain *British* Spirits for Exportation or for Use as Ships Stores; and any plain *British* Spirits or compounded *British* Spirits deposited in a Customs Warehouse may be bottled and packed for Home Consumption under the Provisions of the Act or Acts relating to the bottling of Spirits for Exportation, and subject to such Regulations as the Commissioners of Customs shall from Time to Time prescribe; and all Spirits bottled and packed as aforesaid may, under such Regulations as the Commissioners of Customs and Inland Revenue respectively shall appoint, be delivered for Home Consumption upon Payment of the proper Duty of Excise,

according to the Quantity and Strength of such Spirits at the Time of bottling the same.

Duty to be paid upon Deficiency found on bottling Spirits.

2. Duty shall be paid upon any Deficiency which shall be found in the Quantity of any plain or compounded *British* Spirits bottled in any Customs Warehouse over and above the Rate of Two *per Cent.* specified in the Second Section of the Act of the Twenty-seventh *Victoria*, Chapter Twelve.

Duties on British Spirits delivered from Customs Warehouse to be collected by Officers of Customs.

3. In all Cases where *British* Spirits bottled and packed as aforesaid shall be delivered for Home Consumption from a Customs Warehouse, or where Duty shall be payable on any Deficiency as aforesaid, the Excise Duty shall be collected by the Officers of Customs, and shall be accounted for and paid over in the same Manner as is now by Law directed in the Case of Excise Duty payable on any *British* Spirits delivered out of a Customs Warehouse for Home Consumption.

Quantities in which British Spirits may be delivered for Home Consumption.

4. No Distiller shall sell or remove for Home Consumption any *British* Spirits in Bottle in a less Quantity than Five Dozen Imperial or reputed Quart Bottles, or Ten Dozen Imperial or reputed Pint Bottles, properly packed and secured in Cases, each Case to contain any Number of Dozens of such Bottles, but not less than One Dozen Quarts or Two Dozen Pints, unless he shall have in force a Licence as a Dealer in Spirits under the Laws of Excise, and no *British* Spirits in Bottle shall be delivered for Home Consumption in a less Quantity than One Dozen Imperial or reputed Quart Bottles, or Two Dozen Imperial or reputed Pint Bottles, packed and secured as aforesaid.

Spirits sweetened in Customs Warehouse, and Spirits of Wine deposited therein, not to be delivered for Home Consumption.

5. Nothing in this Act contained shall authorize the Delivery for Home Consumption of any *British* Spirits to which any sweetening or colouring Matter or other Ingredient has been added in a Customs Warehouse, or of any Spirits of Wine upon which a Drawback of the Duty of Excise has been paid upon the Deposit of the same in a Customs Warehouse.

Section 6 of 28 & 29 Vict. c. 98. to apply to bottled compounded Spirits.

6. The Provisions of Section Six of the Act Twenty-eighth and Twenty-ninth *Victoria*, Chapter Ninety-eight, and the Enactment therein referred to, shall apply to all bottled compounded *British* Spirits delivered out of a Customs or Excise Warehouse for Home Consumption.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXVIII.

An Act to amend "The Labouring Classes Dwellings Acts, 1866." [17th *June* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Labouring Classes Dwelling Houses Act, 1867."

Defining Meaning of certain Terms in 29 & 30 Vict. cc. 28. and 44.

2. In the Fourth Section of "The Labouring Classes Dwelling Houses Act, 1866," the Words "Land or Dwellings for the Purposes of which the Advance is made," and in the Twelfth Section of "The Labouring Classes Lodging Houses and Dwellings Act (*Ireland*), 1866," the Words "Lands, Buildings, or Premises for the "Purpose of which such Advance shall be made," shall respectively be construed to include any Land, Buildings, or Premises held together with and for the same Estate and Interest as the Lands, Buildings, or Premises upon which the Money advanced is to be expended under the Provisions of the said Acts respectively.

3. In

Labouring Classes Dwellings Acts (1866) *Amendment.*

In case of Advances to Company, Part of whose Capital is unpaid, Loan Commissioners may dispense with Mortgage.

3. In the Case of an Advance under the Provisions of either of the said Acts to a Company or Society, any Part of whose Capital remains uncalled up or unpaid, it shall be lawful, in *England* for the Public Works Loan Commissioners, and in *Ireland* for the Public Works Commissioners, to dispense with a Mortgage of such Capital remaining uncalled up or unpaid, or of such Part thereof as they may think fit.

Extending 29 & 30 Vict. c. 28. to Scotland.

4. Notwithstanding the Fifty-third Section of "The Labouring Classes Lodging Houses Act, 1851," all the Provisions of "The Labouring Classes Dwelling Houses Act, 1866," so far as they are applicable to *Scotland*, shall be deemed and construed to extend and apply to *Scotland*.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

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CAP. XXIX.

An Act to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies. [17th *June* 1867.]

WHEREAS it is expedient to make Provision for the Prevention of Contracts for the Sale and Purchase of Shares and Stock in Joint Stock Banking Companies of which the Sellers are not possessed or over which they have no Control:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Contracts for Sale, &c. of Shares to be void unless the Numbers by which such Shares are distinguished are set forth in Contract.

1. That all Contracts, Agreements, and Tokens of Sale and Purchase which shall, from and after the First Day of *July* One thousand eight hundred and sixty-seven, be made or entered into for the Sale or Transfer, or purporting to be for the Sale or Transfer, of any Share or Shares, or of any Stock or other Interest, in any Joint Stock Banking Company in the United Kingdom of *Great Britain* and *Ireland* constituted under or regulated by the Provisions of any Act of Parliament, Royal Charter, or Letters Patent, issuing Shares or Stock transferable by any Deed or written Instrument, shall be null and void to all Intents and Purposes whatsoever,

 unless

unless such Contract, Agreement, or other Token shall set forth and designate in Writing such Shares, Stock, or Interest by the respective Numbers by which the same are distinguished at the making of such Contract, Agreement, or Token on the Register or Books of such Banking Company as aforesaid, or where there is no such Register of Shares or Stock by distinguishing Numbers, then unless such Contract, Agreement, or other Token shall set forth the Person or Persons in whose Name or Names such Shares, Stock, or Interest shall at the Time of making such Contract stand as the registered Proprietor thereof in the Books of such Banking Company; and every Person, whether Principal, Broker, or Agent, who shall wilfully insert in any such Contract, Agreement, or other Token any false Entry of such Numbers, or any Name or Names other than that of the Person or Persons in whose Name such Shares, Stock, or Interest shall stand as aforesaid, shall be guilty of a Misdemeanor, and be punished accordingly, and, if in *Scotland*, shall be guilty of an Offence punishable by Fine or Imprisonment.

Registered Shareholders may see Lists.

2. Joint Stock Banking Companies shall be bound to show their List of Shareholders to any registered Shareholder during Business Hours, from Ten of the Clock to Four of the Clock.

Extent of Act limited.

3. This Act shall not extend to Shares or Stock in the Bank of *England* or the Bank of *Ireland*.

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VICTORIÆ REGINÆ.

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31st March 1868 the Sum of 14,000,000*l.* out of the Consolidated Fund.

eight hundred and sixty-eight, the Sum of Fourteen million Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury for the Time being are hereby authorized and empowered to issue and apply the same accordingly.

Bank of England may advance 14,000,000*l.* on the Credit of this Act.

2. The Governor and Company of the Bank of *England* may make Advances to Her Majesty, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to an Amount not exceeding in the whole the Sum of Fourteen million Pounds, and such Advances shall be made on the Application of the Commissioners of Her Majesty's Treasury, from Time to Time, in such Sums as may be required for the Public Service, and shall be placed to the Credit of the Account of Her Majesty's Exchequer at the Bank of *England*, and be available to satisfy the Orders for Credits granted or to be granted on the said Account, under the Provisions of the "Exchequer and Audit Departments Act, 1866," in respect of any Services voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Interest on Advances.

3. The Advances made by the Bank of *England*, from Time to Time, under the Authority of this Act, shall bear Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem*, and the Principal and Interest of all such Advances shall be paid out of the growing Produce of the Consolidated Fund at any Period not later than the next succeeding Quarter to that in which the said Advances shall have been made.

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Times, but not later than the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, to cause any Number of Exchequer Bonds to be made out at the Bank of *England* for any Sum or Sums of Money not exceeding in the whole the Sum of One million seven hundred thousand Pounds, and such Bonds shall bear such Interest as shall be determined by the said Commissioners, not exceeding Four Pounds *per Centum per Annum*, and shall be paid off at Par at the Expiration of any Period or Periods not exceeding Five Years from the Date of such Bonds.

Interest on Bonds, and Repayment of Principal Money.

2. The Interest on such Bonds shall be paid half-yearly on such Days as shall be appointed by the said Commissioners, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the Principal Monies secured by such Bonds shall be repaid out of such Money as shall be provided by Parliament in that Behalf.

Treasury may cause Exchequer Bonds to be prepared and issued according to Provisions of 29 & 30 Vict. c. 25.

3. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, cause or direct the Exchequer Bonds to be issued under the Authority of this Act to be prepared for such Principal Sums, not less in any Case than One hundred Pounds, together with Coupons for the Interest becoming due from Time to Time thereon, in such Form and under such Regulations as the said Commissioners may think most safe and convenient, and according to the Provisions, so far as they relate to Exchequer Bonds, of an Act of the Twenty-ninth Year of Her Majesty, Chapter Twenty-five, intituled *An Act to consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.*

Persons forging Exchequer Bonds, &c., guilty of Felony.

4. If any Person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bond issued under this Act, or any Coupon for Interest accruing thereon, such Person shall be guilty of Felony, and upon being lawfully convicted thereof shall suffer accordingly.

Money raised to be paid to the Consolidated Fund.

5. All such Sums of Money as shall be raised by Exchequer Bonds to be made out in pursuance of this Act shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Bank of England may advance 1,700,000*l.*

6. The Governor and Company of the Bank of *England* may advance or lend to Her Majesty, upon the Credit of the Exchequer Bonds to be made out in pursuance of this Act, any Sum or Sums of

Exchequer Bonds (£1,700,000).

of Money not exceeding in the whole the Sum of One million seven hundred thousand Pounds (anything in any Act to the contrary notwithstanding); and the Commissioners for the Reduction of the National Debt may invest, in the Purchase of Exchequer Bonds issued under the Authority of this Act, any Money in their Hands on account of Savings Banks, or Post Office Savings Banks.

on the Credit of Bonds, and National Debt Commissioners may purchase Bonds with Savings Banks Money.

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Authority of an Order of the Poor Law Board) Advances out of the Money for the Time being at their Disposal, whether under the Special Acts or any other Act for the Purpose of enabling Local Authorities in the Counties therein mentioned to give Employment to the Labouring and Manufacturing Classes by Execution of Works of public Utility and sanitary Improvement:

And whereas sundry Advances have been made by the said Commissioners in Exercise of the Powers conferred upon them by the first-mentioned Act, and the Acts therein recited, and the Special Acts, and great Benefits have been derived therefrom, and it is desirable further to extend the Benefits derived from the said Acts:

And whereas the Sums remaining at the Disposal of the said Commissioners are insufficient to meet the further Advances required for effecting the Objects herein-before mentioned, and it is expedient to make Provision for that Purpose:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to charge 300,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 75,000*l.* per Quarter.

1. For the Purposes of such Advances or Loans as aforesaid (exclusively of Advances or Loans for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," "The Cattle Diseases Prevention Act, 1866," "The Labouring Classes Dwellings Houses Act, 1866," and "The Public Works (Manufacturing Districts) Act, 1863," and "The Public Works (Manufacturing Districts) Acts, 1863, 1864") the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt (in addition to the Sums authorized to be issued under the First herein-before recited Act) any Sum or Sums of Money not exceeding Three hundred thousand Pounds per Annum during the Three Years next ensuing the Thirtieth Day of *June* One thousand eight hundred and sixty-seven, by quarterly Instalments or Issues not exceeding Seventy-five thousand Pounds per Quarter, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *September* One thousand eight hundred and sixty-seven.

Charge on Consolidated Fund of not

2. For the Purposes of Loans under the said Special Acts, the Commissioners of Her Majesty's Treasury may from Time to Time, by

by Warrant under the Hands of Two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt, any further Sum or Sums of Money not exceeding in the whole Three hundred thousand Pounds, such Money to be applied exclusively under the Special Acts, and to be at the Disposal of the Public Works Loan Commissioners, in like Manner in all respects as Money placed at their Disposal under the Act of the Session of the Twenty-ninth and Thirtieth Years of Her Majesty (Chapter Seventy-two), and the Acts therein recited, subject nevertheless to the Provisions of the Special Acts and this Act, which Provisions shall have full Effect notwithstanding anything in the Public Works Loan Act One thousand eight hundred and fifty-three or any other Act relating to the Public Works Loan Commissioners to the contrary contained.

exceeding 300,000*l.* to be at the Disposal of the Public Works Loan Commissioners.

3. In case any One or more of the quarterly Instalments or Issues authorized to be issued by the Act of the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter Seventy-two, or by this Act, or by any other Act, already passed or hereafter to be passed, authorizing Issues quarterly out of the Consolidated Fund for the same or other like Purposes as in the said Acts respectively mentioned, shall not have been issued in the respective Quarters in which such quarterly Instalments or Issues were originally authorized to be issued, it shall be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time, or at any Time after the Expiration of the authorized Quarter or Quarters respectively, to issue out of the Consolidated Fund or the growing Produce thereof, in like Manner and for the like Purpose as originally authorized, all or such Part or Parts of the Instalment or Issue, Instalments or Issues, so remaining unissued in the authorized Quarter or Quarters, as shall from Time to Time be required by the Commissioners for carrying the said Acts and this Act into execution: Provided always, that nothing in this Act contained shall authorize the Issue of any larger Sum of Money in the whole than the aggregate Amount of the quarterly Instalments or Issues which under the Terms of the Acts herein-before referred to and this Act may then have become due or issuable.

Instalments may be issued when required for Purposes of Loans under 29 & 30 Vict. c. 72., and this Act instead of quarterly.

4. The Commissioners of the said Act of the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter Seventy-two, and of the several Acts therein recited, and of this Act, may upon the Application of the major Part of the Justices of any County, Riding, or Division in *England* in Quarter Sessions assembled, such major Part to consist of Five at the least, and upon the Application of the Council

Commissioners may make Advances for Police Stations, &c.

Council of any Borough, lend and advance and apportion or distribute and authorize to be paid for the Purpose of defraying the Expense of Works in progress, or the Expense to be incurred in building, rebuilding, enlarging, repairing, improving, or fitting up of Police Stations, Justices' Rooms, Depôts for Militia Arms and Stores, and Offices connected therewith respectively, or any of such Purposes, any Part or Parts of the Monies to be issued and paid out of the Consolidated Fund under the said Act or the several Acts therein recited, for such Times or Periods, at such Rate or Rates of Interest, upon such Security of Rates to be expressly made for such Purpose by the Justices of the Peace for the County or Council of the Borough in or to which such Police Stations, Justices' Rooms, Militia Depôts, and Offices shall be respectively situate or belong, and subject to such or the like Terms and Conditions, or any or either of them, as are in the same Acts respectively specified and prescribed in regard to Loans under the said Acts or any or either of them, or any Act or Acts having relation thereto; and in case any such Loans or Advances as aforesaid shall be made, such Justices or Council, as the Case may be, are hereby authorized, empowered, and required to make and assign such Rates as aforesaid on such or the like Terms, and subject to such or the like Provisions as are in and by an Act passed in the Fourth Year of His late Majesty King *George* the Fourth, Chapter Sixty-three, expressed and contained in regard to Advances or Loans to be made thereunder for building, enlarging, or repairing Gaols in *England*.

4 G. 4. c. 63.

29 & 30 Vict. c. 72. incorporated.

5. All the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the said Act of the Session of the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter Seventy-two, and the Acts therein recited, or any of them, so far as the same can be made applicable, and are not varied by the Special Acts or this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.

Construction of Terms.

6. The Terms used in this Act shall be construed in like Manner as in the Special Acts.

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in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1867.

The SCHEDULE of Orders.

1. BALBRIGGAN.—Alteration of Tolls, &c.
2. CROMER.—Construction of a Pier.
3. DINGWALL.—Improvement of Harbour.
4. GIRVAN.—Amendment of Order.
5. ROTHESAY.—Construction of Piers.
6. SEAFORD.—Construction of a Pier.

BALBRIGGAN.

Balbriggan.

Order for the Maintenance and Regulation of the Pier and Harbour of Balbriggan, in the County of Dublin, being an Outport or Creek of the Port of Dublin.

The undertakers.

1. The Corporation for preserving and improving the Port of Dublin, hereinafter called "The Corporation," shall be the undertakers of the works authorized by this Order.

Description of works.

2. The works authorized by this Order comprise the following:

The dredging, deepening, or otherwise improving of the inner and outer harbour of Balbriggan;

The erection of works calculated to shelter and defend the harbour and prevent it from being silted up;

The improvement of the Balbriggan pier.

Power to take rates according to Schedule.

3. The Corporation may demand and receive, in respect of the vessels and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

4. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, from, and out of the pier and harbour by land and with their vessels and otherwise, without payment.

Certain fishing vessels under stress of weather exempt from rates.

5. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom, shall, when forced by stress of weather to make use of the pier or harbour to which this Order relates, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Parts of Harbours, &c. Act, 1847, excepted.

6. The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely, sections numbered 6 to 26, both inclusive, sections 37 to 42, both inclusive, sections 45 and 50, and sections 79 to 82, both inclusive.

Power to borrow.

7. The Corporation may from time to time under this Order borrow, on mortgage of the rates leviable under this Order, any money, not exceeding in the whole the sum of Two thousand pounds, required for the purposes of the works authorized by this Order.

Money to be applied to purposes of Order.

8. Every part of the money borrowed under this Order shall be applied only to the purposes authorized by this Order.

Mortgages.

9. The clauses with respect to the mortgages to be executed by the Commissioners, contained in "The Commissioners Clauses Act, 1847," are hereby incorporated with this Order.

Application of rates.

10. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise, namely:—

In paying the costs, charges, and expenses of applying for and obtaining this Order, or preparatory or incident thereto:

In defraying the expense of supplying ballast for the use of vessels paying for same according to the Schedule hereto:

Balbriggan.

In defraying the necessary expenses of the maintenance, management, and regulation of the pier and harbour:

In paying a certain annuity charged by the 12 & 13 Victoria, chapter 60, on all dues arising out of the harbour, and payable to the Commissioners of Public Works, Ireland, for twenty-two years from the tenth day of October One thousand eight hundred and forty-nine, in respect of a sum of One thousand five hundred pounds expended in deepening and improving the said harbour:

In paying interest on money borrowed under this Order, and in repayment of the principal of such money:

In executing any works authorized by this Order.

Dredges, steam engines, diving bells, lighters, &c.

11. The Corporation may, for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast and other lighters, tools, plant, and other materials, as they think fit, and may from time to time, as they think fit, sell and dispose of the same, or any of them; and shall apply the money produced thereby in carrying into effect the purposes of this Order or some of them.

Saving of existing rights.

12. Nothing in this Order shall be construed to interfere in any way with any existing rights in the said pier or harbour, or the lands or foreshore adjoining the same.

Saving rights, &c. under Crown Lands Act, 1866.

13. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short Title.

14. This Order may be cited as "The Balbriggan Pier and Harbour Order, 1867."

The SCHEDULE to which the foregoing Order refers.

RATES FOR THE SUPPLY OF BALLAST AND ON VESSELS ENTERING THE HARBOUR.

	s.	*d.*
1. For every ton of ballast supplied for the use of vessels leaving the harbour, if put on board from the lighter, or deposited on the quay opposite such vessel - - - - -	1	0
Additional charge for heaving on board when deposited on the quay, if required by the owner or master, for every ton - -	0	3
2. Tonnage duty on each vessel discharging cargo, per registered ton	0	6
3. „ „ for gas lights, &c. on piers - - - - - - - -	0	1
4. On every vessel or boat exceeding 5 tons registered burthen, for an annual licence to use the harbour - - - -	10	0
5. On every vessel or boat of 5 tons or less registered burthen, for an annual licence to use the harbour - - - -	5	0

An annual licence to be paid for on all vessels or boats entering the harbour more than once within any year ending on the 31st day of December.

The period for the annual licence to be from the 1st January to 31st December. All annual licences, at whatever time taken out, to expire on the 31st December in each year

The

The annual licence not to be paid for on vessels using the harbour as traders, and paying dues as such. *Balbriggan.*

6. The owner of every vessel or boat laid up in the harbour, or occupying a berth at the quay at any one time for a period exceeding 14 days, unless detained by stress of weather, to be liable to a charge of one halfpenny per registered ton for every day exceeding that period.

CROMER.

Cromer.

Order for the Construction, Maintenance, and Regulation of a Pier and Harbour at Cromer, in the County of Norfolk.

1. The following persons, namely, Henry Peter Andrews, John Hawthorne Lydall, John Beastall Jerram, and all other persons and corporations subscribing to the Undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company, for the purpose of making, maintaining, and regulating the Harbour and Works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of "The Cromer Pier Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order. Incorporation of Company.

2. The Cromer Pier Company, in this Order called the Company, shall be the undertakers of the Works authorized by this Order. Undertakers.

3. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," except so much as relates to the purchase or taking of lands otherwise than by agreement, and "The Lands Clauses Consolidation Act Amendment Act, 1860," shall respectively be incorporated with this Order. Incorporation of Clauses Act.

4. The Capital of the Company shall be ten thousand pounds, in one thousand shares of ten pounds each. Capital.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum, not being less than one-fifth part of the amount of such share, has been paid in respect thereof. Shares not to be issued until one-fifth paid up.

6. No call shall exceed two pounds a share, or be made payable within three months of a previous call. Calls.

7. The Company, with the sanction of at least three-fifths in value of the votes of the Shareholders present in person or by proxy at a general meeting, specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one-third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital. Power to create preference shares.

8. The Company, from time to time, may borrow on mortgage, at interest, any sum or sums of money, not exceeding in the whole three thousand three hundred and thirty-three pounds, but no money shall be so borrowed until the whole of the Borrowing on mortgage.

Cromer.

capital of ten thousand pounds is subscribed for or taken, and one-half thereof is paid up, and the Company satisfy the Justice who certifies under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the capital has been issued and accepted, and that one-half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof, legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9. The Mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages, by the appointment of a Receiver, and the amount to authorize a requisition for a Receiver is five hundred pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any Shareholder on the amount called up in respect of shares held by him, but this provision shall not prevent the Company paying to any Shareholder interest on any money advanced by him beyond the amount of calls actually made, as may be in conformity with "The Companies Clauses Consolidation Act, 1845."

Money not to be used for deposit, under Standing Orders, &c.

11. The Company shall not, out of any money so raised, pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied for purposes of Order.

12. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

13. The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

14. The number of Directors shall not be more than nine nor less than five.

Quorum of Directors.

15. The quorum of a meeting of Directors shall be three.

First Directors.

16. Henry Peter Andrews, John Hawthorne Lydall, John Beastall Jerram, with such other Shareholders (if any) as they add to their number, shall be the first Directors; and the first Directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and Directors shall be elected by the meeting, the retiring Directors being eligible for re-election.

Qualification.

17. The qualification of a Director elected by the Shareholders, or nominated as aforesaid, shall be the holding, in his own right, of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds.

Remuneration.

18. The remuneration of the Directors shall, from time to time, be fixed by a general meeting, and shall be divided among the Directors as they determine.

Power to take lands by agreement.

19. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all or such parts of the lands shown on the plans deposited for the purposes of this Order,

as

as they think requisite for the purposes of the proposed Pier and Works, and the conveniences connected therewith.

Lands for extraordinary purposes.

20. The Company may purchase and hold, for extraordinary purposes, any land not exceeding in the whole three acres.

Power to make works.

21. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans, as the Board of Trade require, from time to time, before the completion of the Works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the Pier and Works authorized by this Order.

Description of works authorized.

22. The Works authorized comprise the following:—

A Pier, Jetty, and Landing Place, with all proper works, approaches, and other conveniences for the embarking and landing of passengers, fish, goods, and merchandise, and other purposes, in the parish of Cromer, in the county of Norfolk, commencing at a point upon the esplanade or sea wall opposite the end of Jetty Street, thirty-three feet or thereabouts to the east of the existing jetty, and extending thence seawards in a north-north-east direction seven hundred and fifty feet, or thereabouts, the whole of the landward portion of which said Pier, Jetty, Landing Place, works, and approaches will be situate in, or abut upon, the said parish of Cromer, in the county of Norfolk.

Power to take rate in Schedule.

23. The Company may, for the use of the Pier and Works, demand and take, in respect of the vessels, persons, fish, animals, and goods in the Schedule hereto specified, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

24. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the Pier authorized by this Order and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Pass tickets for use of pier.

25. The Company may grant to passengers, promenaders, and other persons, pass tickets for the use of the Pier and Works, at such rates, on such terms, and for such periods not exceeding one year, as may be agreed upon.

Pass tickets not transferable.

Such pass ticket granted by the Company shall not be transferable, and shall not be used by any person other than the person to or for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket, he shall, for every such offence, be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under "The Harbours, Docks, and Piers Clauses Act, 1847," for all the purposes of which Act this Order shall be deemed the Special Act.

Cromer.

Exemption of Custom House Officers from rates.

26. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, to, and over the Pier and Works, by land and with their vessels, without payment.

Steam engines, lighters, &c.

27. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences, as they think proper, for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Meters and weighers.

28. The Company shall have the appointment of Meters and Weighers on, or in connexion with, the Pier.

Restriction on use of Pier.

29. Nothing in this Order shall entitle any person, with any vessel or boat, to ship or unship at the Pier or Jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the Pier or Jetty for recreation, or for the embarking or landing of passengers.

Saving rights under Crown Lands Act, 1866.

30. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade, by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short Title.

31. This Order may be cited as "The Cromer Pier Order, 1867."

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates of Goods shipped or unshipped at the Pier.

Ale, beer and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	9
Anchors, per cwt.	0	1
Anchor stock, per foot run	0	2
Bark, per ton	2	0

	s.	d.
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle :—		
Bulls, cows, and oxen each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
Carriages :—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4

Cromer.

Cromer.

	s.	d.
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides :—		
Ox, cow, or horse (wet or dry), each	0	2
Iron :—		
Bar, bolt, rod and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather, tanned and dressed, per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	2	0
Skins :—		
Calf, goat, sheep, lamb or dog, per dozen	0	6
Slates, per ton, of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton, of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4

	s.	d.
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pine staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

Cromer.

	s.	d.
3rd. Shed Dues.		
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier, for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.		
For any portmanteau, trunk, parcel or other article of passengers' luggage, for each day or part of a day, per package - -	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - - -	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet or passage-boat, for each and every time any sum not exceeding - -	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding -	0	4
For every bath or sedan chair taken on the Pier, for each and every time not exceeding - - - - - -	0	6
For every perambulator - - - - - -	0	2
For every master of any vessel, boat or wherry, being an inhabitant of the parish of Cromer, and using the said Pier for the purpose of going to or returning from his own vessel, boat or wherry, an annual sum not exceeding - - - - -	20	0

VI.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel or other package within the description of luggage, not exceeding 28 lbs. - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - - -	0	8
And for every cwt. beyond - - - - - -	0	4
And for every 20 lbs. weight in addition - - - -	0	1

Dingwall.

DINGWALL.

Order for the Management and Improvement of the Harbour of Dingwall, in the County of Ross.

Repeal of certain Sections of Act 5 Geo. 4. c. 93.

1. From and after the first day of August one thousand eight hundred and sixty-seven, the Sections of the Local Act, fifth George the Fourth, chapter ninety-three, relating to the harbour of Dingwall (in this Order termed "the Local

Local Act"), which are specified in the Schedule (A.) annexed to this Order, and the Schedule to the said Act, shall be and are hereby repealed, and this Order shall commence and take effect. *Dingwall.*

Appointment and incorporation of Commissioners.

2. The magistrates and town council of the burgh of Dingwall, and their successors in office, shall be the commissioners for carrying this Order into execution, and shall be and are hereby, for the purposes of this Order, incorporated by the name of "the Dingwall Harbour Commissioners"; and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, lease, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Interpretation.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated therewith shall have the same respective meanings, and in this Order and in the said Acts as incorporated therewith the following expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such constructions respectively; that is to say, the expression "the Special Act" shall mean this order; the expression "the Harbour" shall mean the harbour of Dingwall and the works in and connected therewith; and the expression "the Commissioners" shall mean the Dingwall Harbour Commissioners incorporated by this Order.

Harbour and works vested in the Commissioners.

4. From and after the first day of August one thousand eight hundred and sixty-seven, all the estate, right, and interest and all the powers of the magistrates and town council of the burgh of Dingwall in or over the Harbour of Dingwall, and in, over, or in respect of the lands, works, wharves, property, rights, and privileges connected therewith, shall be and are hereby vested in the Commissioners, subject to the debts, contracts, obligations, and liabilities affecting the same; and the said harbour and works shall thereafter be maintained, repaired, regulated, extended, and improved by the Commissioners, under the authority and subject to the provisions of this Order and the Acts incorporated therewith.

Harbour to be a separate trust.

5. The Harbour and works and property connected therewith and the revenues thereof shall be held and managed by the Commissioners as a distinct trust, and separate from the common good, property, and revenues of the Burgh of Dingwall.

Provision for payment of debts and money.

6. Any money borrowed on the credit or security of the harbour rates and duties leviable under the authority of the Local Act, and all other debts and money due or payable by the Magistrates and Council of Dingwall in relation to the harbour, at the first day of August one thousand eight hundred and sixty-seven, shall be payable and paid by the Commissioners; and all harbour rates and duties, and arrears of harbour rates and duties, and all other debts and money, principal or interest, belonging, due, or payable to the said magistrates and council in relation to the Harbour at the same date shall be payable to the Commissioners, and shall be recoverable by them in the same way as such rates and duties and arrears of rates and duties and other debts and money would or might have been payable to or recoverable by the said Magistrates and Council if this Order had not been made.

Conveyances and contracts to remain in force.

7. All conveyances, contracts, and other deeds granted by, to, or in favour of the said Magistrates and Council, in relation to the Harbour, shall be and remain as valid and effectual as if this Order had not been made, and may be enforced by and against the Commissioners in the same way and to the same extent and

Dingwall.

effect as such conveyances, contracts, and other deeds might or could have been enforced by or against the said Magistrates and Council if this Order had not been made.

Incorporation of Commissioners Clauses Act.

8. "The Commissioners Clauses Act, 1847," so far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order, and shall, so far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:—

(1.) Sections six and seven, and Sections 17 to 35, both inclusive, of the said Act, shall not be incorporated with this Order:

(2.) With reference to Section 37 of the said Act, the Provost of the Burgh of Dingwall, for the time being, shall ex-officio be the chairman of the Commissioners:

(3.) Section 54 of the said Act shall not be incorporated with this Order:

(4.) With reference to Section 84 of the said Act, the sum to be every year appropriated and set apart out of the rates as a sinking fund shall not be less than one-fiftieth part of the principal moneys borrowed, such appropriation to commence from the first day of August one thousand eight hundred and seventy-two:

(5.) With reference to Section 90 of the said Act, it shall not be obligatory on the Commissioners to cause the statement and account therein mentioned to be printed:

(6.) With reference to Section 92 of the said Act, the Sheriff of the County of Ross, or the Sheriff-substitute at Dingwall, shall from time to time, on the application of the Commissioners, appoint a properly qualified person, not being one of the Commissioners or holding office under them, to be the permanent Auditor of the accounts of the Commissioners; and if the office of such Auditor become vacant by death, or any other cause, the said Sheriff or Sheriff-substitute shall from time to time, on the application of the Commissioners, appoint a person properly qualified as aforesaid to supply such vacancy.

Undertakers.

9. The Commissioners shall be the undertakers of the works authorized by this Order.

Limits of harbour.

10. The limits within which the Commissioners shall have authority, and which shall be deemed the limits to which this Order extends, shall comprise the Harbour and works by this Order vested in the Commissioners or authorized to be executed, and the lands, foreshore, and sea on which the same are or may be situate, and shall extend along the Firth of Cromarty and the channel of the River Conon, from the one extremity of the Royalty of the Burgh of Dingwall to the other.

Power to take lands by agreement.

11. For the purposes of the works authorized by this Order the Commissioners may from time to time by agreement enter on, take, and use such lands in and around the Harbour as may be required for the said works, not exceeding in the whole eight acres.

Incorporation of Lands Clauses Acts.

12. "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

13. Subject

Dingwall.

Power to execute works.

13. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before completion of the works in order to prevent injury to navigation, the Commissioners may, on the lands vested in or purchased or acquired by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the works shown on the deposited plan and sections, and herein-after described.

Description of works.

14. The works authorized by this Order comprise the following:—

First.—A new cut or entrance channel to the Harbour, commencing near the lower end of the existing wharf on the south-west side of the Harbour, and terminating at or near low-water mark in the channel of the River Conon, near the lower end of the middle bank:

Second.—An embankment and track-path, commencing near the lower end of the existing wharf, and extending along the south side of the said new cut or entrance channel, for a distance of three hundred and seventy-five yards or thereabouts, with a continuation of the said embankment sloped down to low-water mark in the channel of the River Conon:

Third.—A bridge over the Dingwall Canal, at or near the upper end of the said existing wharf:

Fourth.—An extension seawards of the said existing wharf on the south-west side of the Harbour, and a new quay or wharf on the north-east side of the Harbour opposite to the said existing quay or wharf:

Fifth.—An embankment or extension seawards and widening of the north-east bank of the Dingwall Canal.

Further powers as to works.

15. The Commissioners may also make, execute, and maintain the following works authorized by this Order:—

First.—All piers, jetties, landing places, roads, approaches, and other works and conveniences connected with the new cut or entrance channel, wharves, embankments, and bridge before described:

Second.—The sufficient and effectual dredging, scouring, cleansing, and removing of any banks of sand or mud within or adjoining the Harbour or works, or in the new entrance channel and approaches to the Harbour.

Abandonment of portions of Dingwall Canal.

16. The following portions of the Dingwall Canal shall be abandoned and disused for the purposes of navigation or of the Harbour; that is to say:—

First.—The portion of the said canal situate between the bridge, commonly called Peter's Bridge, at the extreme land-ward or west-end of the said canal, and the upper end of the said existing wharf on the south-west side of the Harbour, but without prejudice to the rights of the Commissioners, or of the said Magistrates and Town Council as representing the community of the said Burgh and as acting under the Local Act, to the River Peffery and the diversion thereof from the said canal, as occasion may require:

Second.—The portion of the said canal situate between the point herein-before described as the commencement of the said new cut or entrance channel and the River Conon.

Power to levy rates.

17. The Commissioners may demand and receive in respect of vessels, animals, fish, and goods described in the Schedule (B.) annexed to this Order, any sums not exceeding the several rates specified in the said Schedule.

18. Fishing

Dingwall.

Certain fishing vessels under stress of weather exempt from rates.

18. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the Harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Customs officers.

19. Officers of Customs, being in the execution of their duty, shall, at all times, have free ingress, passage, and egress to, through, and out of the Harbour and the works of the Commissioners by land, and with their vessels and otherwise, without payment.

Rates may be leased.

20. The Commissioners may, from time to time, lease the rates authorized by this Order for any period not exceeding three years, and for such rent or consideration, and on such terms and conditions, as they think fit; and the lessee shall have and may exercise, during the continuance of his lease, the same powers of levying and recovering the said rates as the Commissioners have or might exercise under "The Harbours, Docks, and Piers Clauses Act, 1847," and this Order.

Borrowing powers.

21. The Commissioners may, from time to time, borrow on mortgage such money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of six thousand pounds, on the security of the Harbour and works and lands and property connected therewith by this Order vested in the Commissioners, and of the lands and property and works to be purchased and acquired and executed by them under the authority of this Order, and of the rates authorized by this Order, and any other property of the Commissioners; and any money borrowed under the authority of this Order and discharged otherwise than by means of the sinking fund may be reborrowed if required for the purposes of this Order, and so toties quoties.

Borrowed money may be repaid by instalments.

22. In any mortgage or assignation in security to be granted by the Commissioners for money borrowed under the authority of this Order, provision may be made for the repayment of the principal money so borrowed within any period not exceeding forty years from the date of the loan, by such instalments as may be agreed on between the Commissioners and the lenders; and the Commissioners shall not be required to appropriate or set apart any sum as a sinking fund in respect of any principal monies which are repayable by such instalments.

Commissioners may borrow on cash account.

23. The Commissioners may accept and take from any bank or banking company in Scotland credit on a cash account to be opened and kept with such bank or banking company in the name of the Commissioners, according to the usage of bankers in Scotland, to the extent of the sum which the Commissioners are by this Order authorized to borrow, or any part thereof, and may assign the rates authorized by this Order in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon: Provided, that the whole principal sums due and owing by the Commissioners on such cash account and for money borrowed by them on mortgage shall never, when taken together, exceed the said sum of six thousand pounds.

Form of assignations in security and transfers.

24. The mortgages or assignations in security to be granted by the Commissioners for money borrowed under the authority of this Order, and all transfers thereof, may be in the forms contained in the Schedule (B.) annexed to "The Burgh Harbours (Scotland) Act, 1853," or to the like effect.

25. Every

25. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of borrowed money.

Application of rates and income.

26. The Commissioners shall apply all money received by them from the rates authorized by this Order, and all other money (not being money raised on mortgage or otherwise in the nature of capital) coming into their hands in respect of the Harbour and works by this Order vested in or authorized to be executed by the Commissioners, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order:

(2.) In paying year by year the interest (if any) accruing on money borrowed under the authority of the local Act:

(3.) In paying the expense of the maintenance, repair, management, and regulation of the Harbour:

(4.) In paying year by year the interest accruing on money borrowed under this Order:

(5.) In paying the cost of the works authorized by this Order, and of the lands and property to be purchased and acquired for the purposes thereof, and generally in paying any expense incurred in improving the Harbour:

(6.) In creating a sinking fund, in the manner, and in so far as the nature and circumstances of the case will admit, in the proportion specified by "The Commissioners Clauses Act, 1847," as varied by this Order.

Application of capital.

27. The Commissioners shall apply all money in the nature of capital (and not being mortgage money) received by them under this Order for the like purposes and in the like manner as directed by the provisions respectively numbered 5 and 6 of the last preceding clause of this Order, with reference to money to which that clause relates and which may remain after payment of interest on money borrowed under this Order.

Commissioners may provide dredges, engines, &c.

28. The Commissioners may, for the purposes of the Harbour, or any of them, from time to time purchase, provide, lease, or hire, such dredges, engines, tugs, vessels, lighters, tools, plant, or other materials, as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit, or may sell and dispose of the same, and the money thereby realized shall be applied for carrying into effect the purposes of this Order or some of them.

Pilotage, lights, buoys, and beacons.

29. The Commissioners shall be a pilotage authority and local authority, within the meaning of "The Merchant Shipping Act, 1854," and the Acts amending the same, and shall have all powers conferred by those Acts on pilotage authorities and on local authorities.

Meters and weighers.

30. The Commissioners shall have the appointment of meters and weighers within the limits of the Harbour.

Lands for extraordinary purposes.

31. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole three acres.

Exception of parts of Harbours Clauses Act.

32. Sections 16, 17, 18, 19, 25, and 26 of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order.

Dingwall.

Saving rights under Crown Lands Act, 1866.

33. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short title.

34. This Order may be cited as "The Dingwall Harbour Order, 1867."

SCHEDULES to which the foregoing Order refers.

SCHEDULE (A.)

Title of Local Act.	Sections repealed.
An Act for maintaining the Harbour of the Burgh of Dingwall and regulating the police of the said burgh.—5 Geo. IV., chapter 93.	Sections 1 to 22 both inclusive, and Section 41, and the Schedule annexed to the Act.

SCHEDULE (B.)

I.—Rates on Vessels entering or using the Harbour.

	Per register ton. *s.*	*d.*
For every vessel under the burden of fifteen tons	0	4
For every vessel of the burden of fifteen tons, and under fifty tons	0	6
For every vessel of the burden of fifty tons, and under one hundred tons	0	8
For every vessel of the burden of one hundred tons, and under one hundred and fifty tons	0	10
For every vessel of the burden of one hundred and fifty tons and upwards	1	0
All lighters from any vessel in the roads shall be exempted from rates; but if the vessel do not enter the harbour, every lighter shall pay for each trip	0	2
All boats, entirely open, landing or taking on board goods or dried or salted fish, one shilling each.		
All drave or large boats entering the harbour or precincts thereof with fresh fish, fourpence each.		

II.—Rates on Animals, Fish, and Goods shipped, unshipped, or transhipped within the Harbour.

	s.	*d.*
Albertite or bitumen - - - - - per ton	1	6
Ale - - - - - - per hogshead	0	6
Do. bottled - - - - per barrel bulk	0	3
Bark - - - - - per ton	1	8

Dingwall.

		s.	d.
Beef or pork	per ton	1	4
Do.	per barrel	0	2
Blubber	per tun of 252 gallons	1	0
Bone dust	per ton	2	0
Bones of cattle	per ton	0	6
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Casks:—			
Empty, not being returned packages	per puncheon	0	3
Other casks, in proportion.			
Cattle:—			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Chimney cans	per 100	1	4
Clay, fire manufactured	per ton	0	6
Do., common	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coaches:—			
Chaises, and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coal—Scotch, English, smithy, or Culm	per ton	1	0
Copper	per ton	2	0
Coprolites	per ton	2	0
Corks	per barrel bulk	0	3
Corn:—			
Wheat and Malt	per quarter	0	3
Barley, oats, rye, beans, peas, tares, buckwheat, and Indian corn	per quarter	0	2
Crystal	per barrel bulk	0	2
Dissolved bones and other artificial manures	per ton	2	0
Dogs (sporting only)	each	0	2
Drugs	per barrel bulk	0	4
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Fish:—			
Dried and salted	per ton	2	6
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	2
Flax	per ton	2	6
Flour	per sack	0	3
Do.	per barrel	0	1½
Glass	per barrel bulk	0	3
Groceries:—almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per barrel bulk	0	3
Guano	per ton	2	0
Gunpowder	per barrel	0	3
Hardware	per barrel bulk	0	3
Hares and rabbits	per dozen	0	2
Any less quantity		0	1
Hay	per ton	1	0
Hemp	per ton	2	6

			s.	d.
Dingwall.	Herrings :—			
	Fresh	per cran	0	1
	Cured	per barrel	0	4
	Hides :—			
	Ox, cow, or horse, salted or dried	per ton	3	4
	Calf skins	per 120	0	10
	Sheep skins	per 120	0	10
	Lamb skins	per 120	0	5
	Hoops of wood	per 100	0	1
	Hops	per barrel bulk	0	3
	Household furniture (new)	per barrel bulk	0	3
	Do., belonging to parties changing their residence only,	per 10 barrels bulk	0	6
	Husbandry utensils	per ton	1	4
	Do.	per barrel bulk	0	3
	Iron :—			
	Bar, bolt, and rod	per ton	2	0
	Pig or old	per ton	1	0
	Pots and all hollow cast-iron goods	per ton	2	8
	Ditto, commonly called Ironmongery	per ton	2	8
	Kelp	per ton	1	0
	Lead :—All kinds	per ton	2	0
	Leather :—Tanned and dressed	per ton	1	8
	Lime	per chaldron of 16 bolls	1	6
	Limestone	per ton	0	3
	Loam or moulding sand	per ton	0	3
	Machinery	per ton	1	4
	Do.	per barrel bulk	0	3
	Manure :—Street	per ton	0	2
	Meal	per 140 lbs.	0	2
	Musical instruments	per barrel bulk	0	3
	Oils	per tun	1	0
	Ores :—Copper, iron, lead, and others	per ton	1	0
	Passengers' luggage :—			
	Not exceeding one barrel bulk—free.			
	All above one barrel bulk	per barrel bulk	0	3
	Peats	per ton	0	3
	Pitch	per barrel	0	3
	Porter	per hogshead	0	4
	Do., bottled	per barrel bulk	0	2
	Potatoes	per ton	1	0
	Poultry—including pigeons, game, &c.	per dozen	0	1
	Any less quantity		0	0½
	Rags:—			
	Linen	per ton	1	8
	Other rags, old ropes, and the like	per ton	0	10
	Rape, cotton, or linseed cakes	per ton	2	0
	Salt	per ton	0	10
	Seeds :—			
	Clover	per barrel bulk	0	3
	Flax and Rape	per barrel bulk	0	3
	Flax in bulk	per barrel bulk	0	3
	Garden seeds	per barrel bulk	0	3
	Hemp and canary	per barrel bulk	0	3
	Rye Grass	per 8 bushels	0	3
	Skins :—Seal	per 120	0	8

		s.	d.
Slates:—			
Under size	per 1,000	0	8
Sizeable	per 1,000	1	0
Over size	per 1,000	1	6
Soda	per barrel bulk	0	3
Spirits:—			
Foreign or British, imported	per gallon	0	1
Do. exported	per gallon	0	$0\frac{1}{2}$
Stones:—			
Rubble	per ton of 16 cubic feet	0	2
Hewn ashlar freestone	per ton of 16 cubic feet	0	4
Rough ashlar freestone	per ton of 16 cubic feet	0	3
Pavement, not exceeding 3 inches thick	per 70 feet superficial	0	4
Do. above 3 inches thick	per 16 cubic feet	0	4
Scythe stones	per score	0	2
Mill stones	each	2	6
Burr stones	per ton	5	0
Steel	per ton	2	0
Sugar	per ton	2	0
Tallow	per ton	2	0
Tar	per barrel	0	3
Tea	per chest	0	4
Tiles, roofing	per 1,000	1	0
Tiles or pipes, for draining	per 1,000	0	8
Tin of all kinds	per ton	2	0
Tobacco	per ton	2	6
Treenails, under 2 feet in length	per 1,000	1	6
Do. exceeding 2 feet in length	per 1,000	2	6
Turnips	per ton	1	0
Turpentine	per hogshead	0	8
Vegetables	per cart load	0	2
Vinegar	per hogshead	0	6
Vitriol	per carboy	0	3
Whalebone	per ton	2	6
Whitening	per ton	1	0
Wine	per hogshead	1	6
Do. bottled	per barrel bulk	0	6
Wood:—			
Fir, pine, and other descriptions not enumerated,	per load of 50 feet	0	10
Oak or Wainscot	per load of 50 feet	1	0
Fire wood	per fathom of 216 cubic feet	1	6
Laths or lathwood	per fathom of 216 cubic feet	1	6
Handspokes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length and above $2\frac{1}{2}$ and under 4 inches in diameter	per 120	4	0
Spars, 22 feet in length and upwards and not exceeding 4 inches in diameter	per 120	6	6
Spars of all lengths above 4 and under 6 inches in diameter,	per 120	12	0
Barrel staves	per 120	3	0
Spokes of wheels, not exceeding 2 feet in length	per 120	2	0
Do. exceeding 2 feet in length	per 120	2	6
Wedges	per 1,000	2	0
Pipe staves	per 120	1	2
Hogshead staves	per 120	1	0

Dingwall.

		s.	d.
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	1	4
Coalpit props, common	per dozen	0	1½
Do. crowns	per dozen	0	2
Wool	per cwt.	0	6
Yarn	per ton	1	4
Zinc	per ton	2	0
All other goods not particularly enumerated in the above table :—			
Light goods	per barrel bulk	0	2
Heavy goods	per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates to be charged.

Five cubic feet not exceeding two and a half hundred weight, to be rated as a barrel bulk, but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel bulk.

III.—Rates for the Use of Cranes, Weighing Machines, and Sheds.

	s.	d.
1. Cranes :—		
All goods or packages, not exceeding 1 ton	0	3
Exceeding 1 ton and not exceeding 2 tons	0	4
„ 2 tons „ 3 tons	0	6
„ 3 tons „ 4 tons	0	8
„ 4 tons „ 5 tons	0	10
„ 5 tons „ 6 tons	1	0
„ 6 tons „ 7 tons	1	2
„ 7 tons „ 8 tons	1	4
„ 8 tons „ 9 tons	1	8
„ 9 tons „ 10 tons	2	0
„ 10 tons	3	0

2. Weighing machines :—

For goods weighed, one penny for each ton or part of a ton.

3. Shed dues :—

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of threepence; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

Girvan.

GIRVAN.

Order for the Amendment of "The Harbour of Girvan Improvement Order, 1865," with respect to the Levying of Rates and to the Borrowing of Money.

Repeal of Clauses 13. and 18. of the Order of 1865.

1. Clauses 13 and 18 of "The Harbour of Girvan Improvement Order, 1865," in this Order called "the Order of 1865," shall be deemed to be expunged therefrom.

Power to levy rates.

2. The Commissioners may demand and receive rates in respect of the vessels, persons, animals, and goods described in the Schedule to the Order of 1865, subject

subject to the provisions of that Order, and of this Order, and subject and according to the following provisions, namely:— *Girvan.*

(1.) Until the Commissioners have expended the sum of six thousand pounds on works authorized by the Order of 1865, they may demand and receive any rates not exceeding in each instance one half of those specified in the Schedule to that Order:

(2.) As soon as they have expended the sum of six thousand pounds on works authorized by the Order of 1865, they may demand and receive any rates not exceeding those specified in the said Schedule:

(3.) As soon as the harbour is completed and fit, at high water of ordinary spring tides, for the reception at all berths or jetties for loading coals, of vessels capable of carrying two hundred tons, they may demand and receive a rate of twopence per ton on all coals shipped within the harbour, in addition to the rate specified in the said Schedule:

Provided, that nothing herein contained shall authorize the Commissioners to levy the anchorage dues which before the commencement of the operation of the Order of 1865 were leviable, but which in terms of that Order have since ceased to be levied at the Harbour of Girvan.

Borrowing power.

3. The Commissioners may, from time to time, borrow on mortgage such money as may be required for the purposes of the Order of 1865, not exceeding in the whole the sum of twenty thousand pounds, on the security of the works authorized by that Order, and of the lands and property connected therewith, and of the rates authorized by that Order and by this Order, or of any of those particulars, or of any other property of the Commissioners; and any money borrowed under the Order of 1865 or this Order, and discharged otherwise than by means of the sinking fund, may be reborrowed if required for the purposes of the Order of 1865, and so toties quoties; Provided, that as soon as the said sum of twenty thousand pounds shall be paid off or discharged by means of the sinking fund, the additional rate of twopence per ton on coals, authorized by this Order, shall cease and determine.

Incorporation of part of 10 & 11 Vict. c. 16.

4. The clauses of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order, subject to the provision that with reference to Section Eighty-four of the said Act the sum to be every year appropriated and set apart out of the rates as a sinking fund shall not be less than one fiftieth part of the principal monies borrowed, such appropriation to commence from the expiration of twelve months after full rates are exigible under this Order.

Application of money to be borrowed, and of rates and income.

5. The Commissioners shall apply all monies borrowed under this Order, or received by them from the rates authorized by the Order of 1865 and by this Order, for the purposes and in the manner directed by the Order of 1865; the interest accruing on money borrowed under this Order and any sum payable on account of the principal thereof, being substituted for the interest accruing on money borrowed under the Order of 1865, and any sum payable on account of the principal thereof.

6. The

Girvan.

Incorporation of Order of 1865.

6. The provisions of the Order of 1865 (save the clauses in this Order specified as expunged therefrom) shall remain in full force, and shall be read together with this Order as one Order.

Short title.

7. This Order may be cited as "The Harbour of Girvan Improvement Order, 1867," and this Order and the Order of 1865 may be cited together as "The Harbour of Girvan Improvement Orders, 1865 and 1867."

Rothesay.

ROTHESAY.

Order for the Extension and Construction of Piers, and for the Regulation of the Harbour of Rothesay, in the Burgh of Rothesay and County of Bute.

Undertakers.

1. The Trustees for the Harbour of Rothesay, under the Act of the first and second year of the reign of His late Majesty King William IV., chapter 34, intituled "An Act for improving, repairing, and maintaining the Harbours of the "Burgh of Rothesay in the County of Bute, and for building and maintaining "a Gaol, Court House, and Offices for the said Burgh and County," herein-after called the Local Act, as such Trustees are now constituted under the Local Act, taken in connexion with the Act (Public General) of the Fifteenth and Sixteenth year of the reign of Her present Majesty, chapter 32, intituled "An Act to alter and amend certain Provisions in the Laws relating to the "Number and Election of Magistrates and Councillors in the Burghs in "Scotland," shall be the Undertakers under this Order.

Power to take land by agreement.

2. For the purposes of the works authorized by this Order, the Undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands within the limits of deviation shown on the plans deposited for the purposes of this Order.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans deposited for the purposes of this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, in the lines and according to the levels, and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans.

Description of works.

5. The works authorized by this Order comprise the following:

An increase of the breadth of the front or north pier of the said harbour of Rothesay to the extent of 30 feet, or thereby, additional on the north side thereof; and an extension of the said pier in a north-westerly direction to a point in a line with the western boundary of the west pier of the said harbour, and distant 115 feet or thereby from the northern extremity of the said boundary:

A wharf

Rothesay.

A wharf or pier extending from the north-western extremity of the said north pier, as so extended, 256 feet or thereby in a north-westerly direction to a point opposite to and at a distance of 250 feet or thereby from the north-west corner of the ship-building yard the property of the burgh of Rothesay:

The filling up and embankment of the space between the said wharf or pier and Victoria Street:

A small boat slip at or near the north-west extremity of the said wharf or pier:

The deepening, cleansing, and scouring of the said whole harbour, and particularly of the outer or east harbour, and the entrance thereto:

With all necessary additional approaches, warehouses, sheds, offices, cranes, weighing machines, and other necessary works and conveniences.

Time for completion of works.

6. The time for the completion of the works authorized by this Order shall be seven years after the passing of the Act confirming this Order.

Limits of harbour. 9 & 10 Vict. c. 299.

7. And whereas by an Act passed in the ninth and tenth year of the reign of Her present Majesty intituled "An Act for regulating the Municipal Government and Police of the Royal Burgh of Rothesay," it was enacted that the jurisdiction for the purposes of the said Act of the provost and bailies and Procurator Fiscal of Rothesay, and of all the officers appointed under the said Act, should extend over the whole territory of the said burgh of Rothesay, and over the piers and harbours thereof, and over all boats and vessels in the said harbours and at the said piers, or lying within five hundred yards of the shore of said burgh, and over all persons and things on board of such boats and vessels; the limits of the harbour for the purposes of this Order shall include the whole works and property of the Trustees, and shall otherwise be co-extensive seaward with the jurisdiction conferred by the said Act, notwithstanding any other boundary of the harbour which may be laid down on any plan deposited with reference to this Order.

Application of Local Act to this Order.

8. The whole provisions of the Local Act, so far as applicable and not altered by this Order, shall extend and be applicable to the works hereby authorized and to the area of the harbour as herein defined.

Application of the Harbours, Docks, and Piers Clauses Act.

9. "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, excepting in so far as regards the provisions with respect to the construction of the works hereby authorized, and the saving of rights sections of the Act.

Trustees may levy rates.

10. The Trustees may demand and receive, for the use of the works hereby authorized to be constructed, on all ships, brigs, sloops, barges, lighters, yachts, steam vessels, steamboats, or other vessels or boats, entering or arriving at or using the said harbours or piers, or any of them, the rates, dues, and duties by the Local Act authorized to be levied for and at the said harbours, as modified by "The Harbours and Passing Tolls, &c. Act, 1861," to be levied, to the same extent, and by the same process, and in the same way and manner in all respects as the rates, dues, and duties leviable under the Local Act as so modified are and may be levied, demanded, and received.

Rates for use of cranes, &c.

11. The Trustees may also levy and take, for the use of all cranes, weighing machines, and other conveniences on any of their piers, any rates not exceeding those specified in the Schedule to this Order annexed.

Rothesay.

Certain fishing vessels under stress of weather exempt from rates.

12. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of any of the works of the Trustees, and not breaking bulk when in use thereof, be exempt from the rates leviable under the Local Act and this Order.

Power to borrow.

13. For the purpose of the purchase of lands and property, and for the execution of the works hereby authorized, the Undertakers may, over and above any sums of money borrowed or to be borrowed under the authority of the Local Act, borrow and take up at interest on the credit of the whole rates, dues, and duties leviable by them under the Local Act and this Order, and of the other property vested in them, and in the manner by the Local Act provided or otherwise, any sum or sums of money not exceeding twenty-one thousand pounds, and, on any part of the same being repaid, re-borrow the same, if necessary.

Application of money borrowed.

14. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by the Local Act and this Order, and for payment of the expenses of this Order.

Exemption of Custom House officers from rates.

15. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress on, to, over and from the harbour, pier, and works to which this Order relates, by land and with their vessels, without payment.

Power to purchase, lease, provide, or hire steam or other dredges, &c.

16. The Trustees may, for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam-tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials as they think fit; and may from time to time, as they think fit, sell and dispose of such dredges, tugs, vessels, diving bells, plant, and materials aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of the Local Act and this Order, or some of them.

Saving rights of mortgagees under Local Act.

17. Nothing in this Order contained shall prejudice any security given for any money borrowed under the Local Act and which may remain due at the time of the passing of the Act confirming this Order, and every security so given shall have priority over every security given for money borrowed under this Order.

Saving rights under Crown Lands Act, 1866.

18. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.

Short title.

19. This Order may be cited as "The Rothesay Harbour Order, 1867."

SCHE-

SCHEDULE referred to in the foregoing Order. *Rothesay.*

RATES FOR THE USE OF CRANES, WEIGHING MACHINES, &c.

I.—*Cranes.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6
Or, in lieu of the above rates,		
For each hour or part of an hour	1	0

II.—*Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

III.—*Gangways.*

For each horse	0	9
For each bull, cow, ox, or calf	0	6
For each score or part of a score of sheep	0	6
For each pig, or other animal not here specified	0	3

IV.—*Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or on the pier for a longer time than 48 hours, for the first day or part of a day	0	3
And for each day thereafter, per ton	0	1½
For each portmanteau, trunk, parcel or other article of passengers luggage, for each day or part of a day	0	2

SEAFORD. *Seaford.*

Order for the Construction, Maintenance, and Regulation of a Pier at Seaford in the County of Sussex.

1. The following persons, namely, Henry Winter, James Hutton, and Thomas Hutchings, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the Pier and Works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of "The Seaford Pier Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with Incorporation of Company.

Seaford.

with power to purchase take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

Undertakers.

2. The Seaford Pier Company, hereinafter called the Company, shall be the undertakers of the Works authorized by this Order.

Incorporation of Clauses Acts.

3. "The Companies Clauses Consolidation Act, 1845," and Part I. of "The Companies Clauses Act, 1863," are hereby incorporated with this Order.

Capital.

4. The capital of the Company shall be five thousand pounds, in five hundred shares of ten pounds each.

Shares not to be issued until one fifth paid up.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth part of the amount of such share has been paid up in respect thereof.

Calls.

6. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

Power to create preference shares.

7. The Company, with the sanction of at least three fifths in value of the votes of the Shareholders, present in person or by proxy, at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one third part of the capital, dividend at a rate not exceeding five pounds per centum per annum in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

8. The Company, from time to time, may borrow on mortgage, at interest, any sum or sums of money, not exceeding in the whole one thousand six hundred pounds, but no money shall be so borrowed until the whole of the capital of five thousand pounds is subscribed for, and one half thereof is paid up, and the Company satisfy the justice who certifies under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof, legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9. The Mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages, by the appointment of a Receiver, and the amount to authorize a requisition for a Receiver is five hundred pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any Shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any Shareholder interest on money advanced by him beyond the amount of calls actually made, in conformity with the provisions of "The Companies Clauses Consolidation Act, 1845."

Money not to be used for deposit under Standing Orders, &c.

11. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied for purposes of Order.

12. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

13. The

13. The first general meeting of the Company shall be held, within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine. First general meeting.

14. The number of Directors shall not be more than six or less than three. Number of Directors.

15. The quorum of a meeting of Directors shall be two. Quorum of Directors.

16. Henry Winter, James Hutton, Thomas Hutchings, with such other Shareholders (if any) as they add to their number, shall be the first Directors; and the first Directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and Directors shall be elected by the meeting, the retiring Directors being eligible. First Directors.

17. The qualification of a Director elected by the Shareholders, or nominated as aforesaid, shall be the holding, in his own right, of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds. Qualification.

18. The remuneration of the Directors shall, from time to time, be fixed by a general meeting, and shall be divided among the Directors as they determine. Remuneration.

19. For the purposes of the Works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all such parts of the lands shown on the deposited plans as they think requisite for the purposes of the proposed Pier and Works, and the conveniences connected therewith. Power to take lands by agreement.

20. "The Lands Clauses Consolidation Act, 1845," except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall be incorporated with this Order. Incorporation of Lands Clauses Act.

21. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited Plan, as the Board of Trade require from time to time before the completion of the Works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plan and section (as far as the same are shown thereon), and within the limits of deviation shown on the Plan, make and maintain the Pier and Works authorized by this Order. Power to make Works.

22. The Works authorized by this Order comprise the following:— Description of works authorized.

A Promenade Pier at Seaford in the County of Sussex, with a Landing Place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and for other purposes, commencing at a point at or near high-water mark, situate eight chains, or thereabouts, west of the west side of Seaford Battery, in the Parish of Seaford, otherwise Meeching, in the County of Sussex, and extending from such point of commencement into the sea, in a south-westerly direction, a distance of four hundred and fifty feet or thereabouts.

23. The Company may demand and receive in respect of the vessels, goods, persons and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule to this Order.

24. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, Certain fishing vessels under stress of weather exempt from rates.

Seaford.

Kingdom, shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the Pier.

25. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the Pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit ticket, he shall, for every such offence, be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under "The Harbours, Docks, and Piers Clauses Act, 1847," for all the purposes of which Act this Order shall be deemed the Special Act.

Custom House officers exempt from rates.

26. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier, by land and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

27. The Company shall not purchase, for extraordinary purposes, lands exceeding in extent, in the whole, three acres.

Meters and Weighers.

28. The Company shall have the appointment of Meters and Weighers on, or in connexion with, the Pier.

Parts of Harbours, &c., Act, 1847, excepted.

29. The following sections of "The Harbours Docks and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely, Sections Sixteen to Nineteen, and Twenty-one to Twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c.

30. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels and things, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 and 25 Vict. c. 47. to apply.

31. Part V. of "The Harbours and Passing Tolls, &c., Act, 1861," shall apply to the Works authorized by this Order.

Restriction on use of Pier.

32. Nothing in this Order shall entitle any person, with any vessel or boat, to ship or unship at the Pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the Pier for recreation, or for the embarking or landing of passengers.

Saving of rights under Crown Lands Act, 1866.

33. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.

Short Title.

34. This Order may be cited as "The Seaford Pier Order, 1867."

SCHE-

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats, entirely open, landing or taking on board goods, each	0	6

II.—Rates of Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Butter, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	6
Carriages:—		
Chaises and other four-weeeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3

Seaford.

	s.	d.
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather, tanned and dressed, per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3

Seaford.

	s.	d.
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:		
Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0
Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

Seaford.

All other goods not particularly enumerated above.

	s.	d.
Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st, Rates of Craneage.*

All goods of packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
Exceeding 2 tons and not exceeding 3 tons	0	8
Exceeding 3 tons and not exceeding 4 tons	0	10
Exceeding 4 tons and not exceeding 5 tons	1	0
Exceeding 5 tons and not exceeding 6 tons	1	2
Exceeding 6 tons and not exceeding 7 tons	1	4
Exceeding 7 tons and not exceeding 8 tons	1	6
Exceeding 8 tons and not exceeding 9 tons	1	10
Exceeding 9 tons and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*nd, Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*rd, Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the pier from, or embark from it, on board of any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	4
For every Bath or sedan chair taken on the pier, for each and every time, not exceeding	0	6
For every perambulator	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Seaford, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

Seaford.

VI.—Rates on Passengers' Luggage.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

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Officer or other competent Military Authority, be re-engaged for such a Period as shall complete a total Period of Twenty-one Years in Her Majesty's Service.

Continuance in Her Majesty's Service after Twenty-one Years therein.

3. Any Soldier who shall have completed a total Period of Twenty-one Years Service may give Notice to his Commanding Officer of his Desire to continue in Her Majesty's Service; and if his Commanding Officer or other competent Military Authority approves of such Application he may be continued as a Soldier, subject in all respects to the Provisions of this Act and of the Mutiny Act and Articles of War, as if his Term of Service were still unexpired, until he shall have given Three Calendar Months Notice to his Commanding Officer of his Wish to be discharged, and the Expiration of such Notice.

On Expiration of Enlistment, Soldiers on Foreign Stations to be sent home.

4. Any Soldier whose Period of Enlistment or of total Service shall expire while he is serving on any Foreign, Colonial, or *Indian* Station may be detained, and his Service may be prolonged, for such further Period as shall be directed by the Commanding Officer at the Station there, not exceeding Twelve Months; but at the Expiration of such prolonged Service, or sooner, if the said Commanding Officer shall see fit, the Soldier shall, unless he desires to remain there, be sent home at the Public Charge as in the Case of Soldiers invalided, with all convenient Speed, and after his Arrival he shall be discharged.

Unless he desires to remain in the Colony or Possession.

5. If any such Soldier being in any of Her Majesty's Colonies or Possessions abroad desires to remain and to claim his Discharge there, he shall, if such be his Desire, give Notice thereof to the Governor through the Commanding Officer, whereupon it shall be lawful for such Governor, if he sees fit, with the Consent of the Commanding Officer, to permit such Soldier to remain in such Colony as a discharged Soldier, and such Soldier shall have no Claim thereafter to be conveyed to his Home in the United Kingdom or elsewhere.

Rules for reckoning Service.

6. In reckoning the Service of a Soldier for Discharge under the Provisions of this Act there shall be excluded therefrom such Periods of Time during which he has been absent from his Duty for any of the following Causes: Imprisonment for any Cause, save that of Detention awaiting any Trial which results in the Acquittal and Discharge of the Prisoner from Custody, Desertion or Absence without Leave, exceeding Five Days, or as a Prisoner of War, unless

unless in the latter Instance it shall appear to the Satisfaction of a Court-martial to be summoned on his rejoining Her Majesty's Service, that he was not taken Prisoner through his own wilful Neglect of Duty, and that he rejoined as soon as he could and ought to have done.

Discharge on Completion of Service.

7. Every Soldier who shall have completed his Period of Service according to the Provisions of this Act shall be entitled to his Discharge, unless at the Time of the Expiration of such Period of Service he stands charged with the Commission of any Offence, in which Case his Period of Service shall be prolonged, and his Discharge deferred, until he shall have undergone his Trial by Court-martial, and any Punishment awarded against him. Every Soldier, until he has received his Discharge, shall remain subject to all the Provisions of any Act that may be in force for punishing Mutiny and Desertion, and any Articles of War made in pursuance thereof.

Repeal of 10 & 11 Vict c. 37. and 12 & 13 Vict. c. 73. as to Soldiers enlisted under this Act.

8. After the passing of this Act every Person enlisting or re-enlisting or any Soldier re-engaging into Her Majesty's Service shall be subject to the Provisions of this Act; and the Provisions of the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty's Reign, Chapter Thirty-seven, intituled *An Act for limiting the Term of Service in the Army*, and of the Act of the Session holden in the Twelfth and Thirteenth *Victoria*, Chapter Seventy-three, intituled *An Act to limit the Enlistment in the Artillery and other Ordnance Corps*, shall be then wholly repealed as to such Persons and Soldiers.

Forms of Attestation.

9. The Forms to be used on the Attestation of a Soldier, and on renewing his Service, or on re-engaging, under this Act, shall be such as are set forth in the Schedule hereto, or as are prescribed in the Mutiny Act for the Time being in force.

Enlistment for particular Arm of or for general Service.

10. Every Person enlisting under this Act shall be enlisted for some particular Arm or Branch of Service, and if he shall enlist for Cavalry or Infantry he shall be at liberty to declare and state the particular Regiment of Cavalry or Infantry into which he desires to enlist, and he shall be attested for the same and be sent thereto with all convenient Speed; but if no such Statement or Declaration be made by such Person at the Time of his Attestation as aforesaid, then he shall be attested for general Service, and it shall be lawful for the Military Authorities, at any Time within Twelve Months after his Attestation, to attach him to such Regiment as to them shall seem to be most fitting and convenient

convenient for Her Majesty's Service; provided always, that after the Recruit shall have been attached to any Regiment he shall not be removed or transferred therefrom save and except under the Provisions of the Mutiny Act for the Time being in force.

Short Title.

11. This Act shall be cited as The Army Enlistment Act, 1867.

SCHEDULE referred to in the foregoing Act.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me, and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case as in or for general Service in that Command or Branch of the Service for which the Enlistment may be made*] for the Term of Twelve Years, provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station.

Signature of Recruit.

Signature of Witness.

Note (*a*), (*b*), (*c*). These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

Army Enlistment.

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in Captain Company in the Regiment [*the foregoing Portion of this Declaration may be altered to suit each particular Case*]; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, for a further Term of Years [*to be filled up with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Army*], provided my Services should so long be required, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me

Signature of Soldier.

Signature of Witness.

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Facts or Evidence disclosed in any Examinations or Depositions taken before a Justice of the Peace, in the Presence of the Person accused or proposed to be accused by such Bill of Indictment, and transmitted or delivered to such Court in due Course of Law; and nothing in the said Act shall extend or be applicable to prevent the Presentment to or finding by a Grand Jury of any Bill of Indictment, if such Bill be presented to the Grand Jury with the Consent of the Court in or before which the same may be preferred.

On Acquittal, &c. of Person indicted, who has not been committed or held to Bail, Court may order Prosecutor to pay Costs to Accused if it think the Prosecution unreasonable.

2. Whenever any Bill of Indictment shall be preferred to any Grand Jury, under the Provisions of the Act Twenty-second and Twenty-third *Victoria*, Chapter Seventeen, against any Person who has not been committed to or detained in Custody, or bound by Recognizance to answer such Indictment, and the Person accused thereby shall be acquitted thereon, it shall be lawful for the Court before which such Indictment shall be tried, in its Discretion, to direct and order that the Prosecutor or other Person by or at whose Instance such Indictment shall have been preferred shall pay unto the accused Person the just and reasonable Costs, Charges, and Expenses of such accused Person and his Witnesses (if any) caused or occasioned by or consequent upon the preferring of such Bill of Indictment, to be taxed by the proper Officer of the Court; and upon Nonpayment of such Costs, Charges, and Expenses within One Calendar Month after the Date of such Direction and Order, it shall be lawful for any of the Superior Courts of Law at *Westminster*, or any Judge thereof, or for the Justices and Judges of the Central Criminal Court (if the Bill of Indictment has been preferred in that Court), to issue against the Person on whom such Order is made such and the like Writ or Writs, Process or Processes, as may now be lawfully issued by any of the said Superior Courts for enforcing Judgments thereof.

Accused Person to be asked by Justice if he desire to call Witnesses.

3. And whereas Complaint is frequently made by Persons charged with indictable Offences, upon their Trial, that they are unable by reason of Poverty to call Witnesses on their Behalf, and that Injustice is thereby occasioned to them; and it is expedient to remove, as far as practicable, all just Ground for such Complaint: Therefore, in all Cases where any Person shall appear or be brought before any Justice or Justices of the Peace, charged with any indictable Offence, whether committed within this Realm or upon the High Seas or upon Land beyond the Sea, and whether such Person appear voluntarily upon Summons, or has been apprehended with or without Warrant, or be in Custody for the same or any other

other Offence, such Justice or Justices, before he or they shall commit such accused Person for Trial or admit him to Bail, shall, immediately after obeying the Directions of the Eighteenth Section of the Act Eleventh and Twelfth *Victoria*, Chapter Forty-two, demand and require of the accused Person whether he desires to call any Witness; and if the accused Person shall, in answer to such Demand, call or desire to call any Witness or Witnesses, such Justice or Justices shall, in the Presence of such accused Person, take the Statement on Oath or Affirmation, both Examination and Cross-examination, of those who shall be so called as Witnesses by such accused Person, and who shall know anything relating to the Facts and Circumstances of the Case or anything tending to prove the Innocence of such accused Person, and shall put the same into Writing; and such Depositions of such Witnesses shall be read over to and signed respectively by the Witnesses who shall have been so examined, and shall be signed also by the Justice or Justices taking the same, and transmitted in due Course of Law with the Depositions, and such Witnesses, not being Witnesses merely to the Character of the Accused, as shall in the Opinion of the Justice or Justices give Evidence in any way material to the Case or tending to prove the Innocence of the accused Person, shall be bound by Recognizance to appear and give Evidence at the said Trial; and afterwards, upon the Trial of such accused Person, all the Laws now in force relating to the Depositions of Witnesses for the Prosecution shall extend and be applicable to the Depositions of Witnesses hereby directed to be taken.

Their Depositions to be taken and returned to Court of Trial if accused Person call any.

4. All the Provisions of the said Act Eleventh and Twelfth *Victoria*, Chapter Forty-two, relating to the summoning and enforcing the Attendance and Committal of Witnesses, and binding them by Recognizance and Committal in Default, and for giving the accused Person Copies of the Examinations, and giving Jurisdiction to certain Persons to act alone, shall be read and shall have Operation as Part of this Act.

Provisions of 11 & 12 Vict. c. 42. extended to this Act.

5. The Court before which any accused Person shall be prosecuted or tried, or for Trial, before which he may be committed or bailed to appear for any Felony or Misdemeanor, is hereby authorized and empowered, in its Discretion, at the Request of any Person who shall appear before such Court on Recognizance to give Evidence on behalf of the Person accused, to order Payment unto such Witness so appearing such Sum of Money as to the Court shall seem reasonable and sufficient to compensate such Witness for the Expenses, Trouble, and Loss of Time he shall have incurred

If Witnesses for Accused, bound by Recognizance, appear at the Trial, Court may allow Expenses.

incurred or sustained in attending before the examining Magistrate, and at or before such Court; and the Amount of such Expenses of attending before the examining Magistrate, and Compensation for Trouble and Loss of Time therein, shall be ascertained by the Certificate of such Magistrate, granted before the Attendance in Court; and the Amount of all other Expenses and Compensation shall be ascertained by the proper Officer of the Court, who shall, upon Receipt of the Sum of Sixpence for each Witness, make out and deliver to the Person entitled thereto an Order for such Expenses and Compensation, together with the said Fee of Sixpence, upon such and the same Treasurers and Officers as would now by Law be liable to Payment of an Order for the Expenses of the Prosecutor or Witnesses against such accused Person; and if the Accusation be of such Kind that the Court shall have no Power to order the Expenses of the Prosecutor, then upon the Treasurer or other Officer in the Capacity of a Treasurer of the County, Riding, Division, City, Borough, or Place where the Offence of such accused Person may be alleged to have been committed, which Treasurer or other Officer is hereby required to pay the same Orders upon Sight thereof, and shall be allowed the same in his Accounts: Provided always, that in no Case shall any such Allowances or Compensation exceed the Amount now by Law permitted to be made to Prosecutors and Witnesses for the Prosecution; and provided always, that such Allowances and Compensation shall be allowed and paid as Part of the Expenses of the Prosecution.

Power to take Deposition of Person dangerously ill, and not likely to recover, and to make same Evidence in certain Events, after Death of such Person.

6. And whereas by the Seventeenth Section of the Act Eleventh and Twelfth *Victoria*, Chapter Forty-two, it is permitted under certain Circumstances to read in Evidence on the Trial of an accused Person the Deposition taken in accordance with the Provisions of the said Act of a Witness who is dead, or so ill as to be unable to travel: And whereas it may happen that a Person dangerously ill, and unable to travel, may be able to give material and important Information relating to an indictable Offence, or to a Person accused thereof, and it may not be practicable or permissible to take, in accordance with the Provisions of the said Act, the Examination or Deposition of the Person so being ill, so as to make the same available as Evidence in the event of his or her Death before the Trial of the accused Person, and it is desirable in the Interests of Truth and Justice that Means should be provided for perpetuating such Testimony, and for rendering the same available in the event of the Death of the Person giving the same: Therefore, whenever it shall be made to appear to the Satisfaction of any Justice of the Peace that any Person dangerously ill, and in the Opinion of some registered Medical Practitioner not likely to recover

recover from such Illness, is able and willing to give material Information relating to any indictable Offence, or relating to any Person accused of any such Offence, and it shall not be practicable for any Justice or Justices of the Peace to take an Examination or Deposition in accordance with the Provisions of the said Act of the Person so being ill, it shall be lawful for the said Justice to take in Writing the Statement on Oath or Affirmation of such Person so being ill, and such Justice shall thereupon subscribe the same, and shall add thereto by way of Caption a Statement of his Reason for taking the same, and of the Day and Place when and where the same was taken, and of the Names of the Persons (if any) present at the taking thereof, and, if the same shall relate to any indictable Offence for which any accused Person is already committed or bailed to appear for Trial, shall transmit the same with the said Addition to the proper Officer of the Court for Trial at which such accused Person shall have been so committed or bailed; and in all other Cases he shall transmit the same to the Clerk of the Peace of the County, Division, City, or Borough in which he shall have taken the same, who is hereby required to preserve the same, and file it of Record; and if afterwards, upon the Trial of any Offender or Offence to which the same may relate, the Person who made the same Statement shall be proved to be dead, or if it shall be proved that there is no reasonable Probability that such Person will ever be able to travel or to give Evidence, it shall be lawful to read such Statement in Evidence, either for or against the Accused, without further Proof thereof, if the same purports to be signed by the Justice by or before whom it purports to be taken, and provided it be proved to the Satisfaction of the Court that reasonable Notice of the Intention to take such Statement has been served upon the Person (whether Prosecutor or Accused) against whom it is proposed to be read in Evidence, and that such Person, or his Counsel or Attorney, had or might have had, if he had chosen to be present, full Opportunity of cross-examining the deceased Person who made the same.

Provision for the Prisoner being present at taking of Statement.

7. Whenever a Prisoner in actual Custody shall have served or shall have received Notice of an Intention to take such Statement as herein-before mentioned, the Judge or Justice of the Peace by whom the Prisoner was committed, or the Visiting Justices of the Prison in which he is confined, may, by an Order in Writing, direct the Gaoler having the Custody of the Prisoner to convey him to the Place mentioned in the said Notice for the Purpose of being present at the taking of the Statement; and such Gaoler shall convey the Prisoner accordingly, and the Expenses of such Conveyance shall be paid out of the Funds applicable to the other

Expenses of the Prison from which the Prisoner shall have been conveyed.

Provisions of 24 & 25 Vict. c. 66. as to Witnesses who object to be sworn, extended to Jurors.

8. And whereas Relief has been given by the Statute Twenty-fourth and Twenty-fifth *Victoria*, Chapter Sixty-six, to Persons refusing, from alleged conscientious Motives, to be sworn as Witnesses in Criminal Proceedings, and it is expedient to extend that Relief to Persons required to serve as Jurors: Therefore if any Person summoned or required to serve as a Juror in any Civil or Criminal Proceeding shall refuse or be unwilling, from alleged conscientious Motives, to be sworn, it shall be lawful for the Court or Judge, or other presiding Officer or Person qualified to administer an Oath to a Juror, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration in the Words following:

'I *A.B.* do solemnly, sincerely, and truly affirm and declare that 'the taking of any Oath is, according to my Religious Belief, 'unlawful; and I do also solemnly, sincerely, and truly affirm 'and declare,' *&c.*

Which solemn Affirmation and Declaration shall be of the same Force and Effect, and if untrue shall entail all the same Consequences, as if such Person had taken an Oath in the usual Form; and whenever in any legal Proceedings it is necessary or usual to state or allege that Jurors have been sworn, it shall not be necessary to specify that any particular Juror has made Affirmation or Declaration instead of Oath, but it shall be sufficient to state or allege that the Jurors have been "sworn or affirmed."

Money found on Prisoner to be given to Purchaser of Property not known to be stolen, on Restitution of Property.

9. Where any Prisoner shall be convicted, either summarily or otherwise, of Larceny or other Offence, which includes the stealing of any Property, and it shall appear to the Court by the Evidence that the Prisoner has sold the stolen Property to any Person, and that such Person has had no Knowledge that the same was stolen, and that any Monies have been taken from the Prisoner on his Apprehension, it shall be lawful for the Court, on the Application of such Purchaser, and on the Restitution of the stolen Property to the Prosecutor, to order that out of such Monies a Sum not exceeding the Amount of the Proceeds of the said Sale be delivered to the said Purchaser.

Governor of Prison to bring up the Body of any Person indicted,

10. Where Recognizances shall have been entered into for the Appearance of any Person to take his Trial for any Offence at any Court of Criminal Jurisdiction, and a Bill of Indictment shall be found against him, and such Person shall be then in the Prison belonging

belonging to the Jurisdiction of such Court, under Warrant of Commitment, or under Sentence for some other Offence, it shall be lawful for the Court, by Order in Writing, to direct the Governor of the said Prison to bring up the Body of such Person in order that he may be arraigned upon such Indictment without Writ of Habeas Corpus, and the said Governor shall thereupon obey such Order. without Writ of Habeas Corpus, under Order of Court.

11. This Act shall not extend to *Ireland*. Extent of Act.

12. This Act shall come into operation on the First Day of *October* One thousand eight hundred and sixty-seven. Commencement of Act.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXXVI.

An Act to authorize the Quarter Sessions of the Peace for the Borough and City of *Chester* and County of the same City, and the Portmote and Pentice Courts for the City of *Chester*, to be held at the Castle of *Chester*, and to confer additional Powers upon the Sheriff of the County of *Chester* in exoneration of the Sheriff of the City of *Chester*. [15th *July* 1867.]

WHEREAS the General Quarter Sessions of the Peace for the Borough and City of *Chester* and County of the same City, and the Portmote and Pentice Courts for the said City, have for many Years past been held in the Town Hall of the said City:

And whereas the said Town Hall has been destroyed by Fire, and there is not now in the said Borough or County of the City of *Chester* any suitable Court in which the said Quarter Sessions and the said Portmote and Pentice Courts for the said City can be conveniently held:

And whereas there are at the Castle of *Chester*, and forming Part thereof, commodious and convenient Courts and other Offices and

Buildings in which the Business of the said Court of Quarter Sessions and of the said Portmote and Pentice Courts could be carried on with greater Facility and Convenience to the Suitors therein and to the Public generally than can now be obtained in any Building within the said Borough or County of the City of *Chester*; but the said Castle of *Chester*, and the said Courts, Offices, and Buildings, although situate within the Walls of the said City of *Chester*, are not within the said Borough or County of the City of *Chester*, having been excepted therefrom by the Charter granted to the said City by His late Majesty King *Henry* the Seventh and by an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Third respectively:

And whereas it is expedient that during the erection and building within the said Borough and County of the City of *Chester* of new and suitable Premises for the holding of the said several Courts the same shall for the Period herein-after mentioned be held at the said Castle of *Chester*, and that for all Purposes of and connected with the holding of the said Courts the Castle of *Chester* shall for the said Period be deemed and taken to be within and Part of the said Borough and County of the City of *Chester*:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Castle of Chester for Purposes of this Act to be deemed within the Borough and County of the City of Chester.

1. The Castle of *Chester*, including the Courts of Justice, Offices, and Buildings there situate, shall for all Purposes of and connected with the holding of the Court of Quarter Sessions of the Peace for the said Borough and County of the City of *Chester*, and of the Courts of Portmote and Pentice of the said City, and any and every Adjournment thereof respectively, be deemed and taken to be within and Part of the Borough and City of *Chester* and of the County of the City of *Chester*, any Charter, Act of Parliament, or other Provision to the contrary notwithstanding.

Trials had and Acts done at the Castle of Chester to be as valid as if had and done within the Limits of the County of the City as heretofore.

2. All Trials which may be had, and all Acts and Proceedings which may be done and taken at the said Castle of *Chester*, or in any of the said Courts of Justice, Offices, and Buildings there situate, in relation to the Business of the said several Courts of Quarter Sessions and of Portmote and Pentice for the said Borough and County of the City of *Chester*, or of any and every Adjournment thereof respectively, shall be as valid and effectual as if the same had been had and been done and taken place respectively within the said Borough and City of *Chester* and the said County of the City of *Chester* as heretofore known and as defined by the Municipal Corporation

Corporation Act, or any other Act of Parliament confirming, amending, or altering the same, or by the Charter granted to the said City by His late Majesty King *Henry* the Seventh, or by any other Charter, Act of Parliament, or other Instrument confirming, amending, or altering the same.

Courts of Quarter Sessions and of Portmote and Pentice not to interfere with the Assizes or Quarter Sessions.

3. The Powers hereby given to hold the said several Courts of Quarter Sessions and of Portmote and Pentice shall be exercised only at such Times as will not interfere with the Assizes or Quarter Sessions of the County of *Chester;* and in the event of any Injury or Damage arising to the said Courts of Justice, Offices, and Buildings by reason of the same being used for the Purposes of this Act, such Injury and Damage shall forthwith be made good by the Town Council of the Borough and City of *Chester;* and the Expense of cleaning and lighting the said Courts, Offices, and Buildings during such Use as aforesaid shall be paid by the Town Council of the said Borough and City of *Chester*.

As to the Executions of Persons convicted at Assizes for the County of Chester.

4. From and after the passing of this Act the Sheriff of the County of *Chester* shall be charged with and shall carry into effect within the said County the Execution of all Persons upon whom Sentence of Death shall be passed at any Assizes or Gaol Delivery for the said County of *Chester*, any Statute, Law, Custom, or Usage to the contrary notwithstanding.

Duration of Sects. 1, 2, and 3 of this Act.

5. Sections One, Two, and Three of this Act shall only continue in force for Five Years next after the passing thereof, and thence to the End of the then next Session of Parliament, but without Prejudice to the Liability of the said Town Council to make good any Damage which may be occasioned to the said Courts, Offices, and Buildings during their Occupation for the Purposes of this Act, which Liability may be enforced at any Time thereafter.

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXXVII.

An Act to amend and consolidate the Public Libraries Acts (*Scotland*). [15th *July* 1867.]

WHEREAS it is expedient to amend and consolidate the Public Libraries Acts relating to *Scotland*, and to give greater Facilities for the Formation and Establishment there of Public Libraries, Art Galleries, and Museums:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

17 & 18 Vict. c. 64., and so much of 29 & 30 Vict. c. 114., as relates to Scotland, repealed.

1. The Public Libraries Act (*Scotland*), 1854, and so much of the Public Libraries Amendment Act (*England* and *Scotland*), 1866, as relates to *Scotland*, are hereby repealed, but such Repeal shall not invalidate or affect anything already done in pursuance of these Acts or either of them; and all Public Libraries and Museums established in *Scotland* under these Acts or either of them shall be held as coming under the Operation of this Act.

Interpretation of Terms.

2. In the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned, if not inconsistent

inconsistent with the Context or Subject Matter; that is to say,

The Expression "Burgh" shall mean a Royal Burgh or a Burgh or Town to which Magistrates and Councils were provided by the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-seven:

The Word "District" shall mean a Burgh of Barony, a Burgh of Regality, or any other populous Place, not being a Royal Burgh or a Town or Burgh to which Magistrates and Councils were provided by the said Act of the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-seven, where any Local or General Police Act is in force:

The Word "Board" in Parishes shall mean the Parochial Board acting under the Powers and in execution of the Act of the Eighth and Ninth *Victoria*, Chapter Eighty-three, and in Districts it shall mean the Commissioners, Trustees, or other Body of Persons, by whatever Name distinguished, for the Time being in Office, and acting in execution of any Special, Local, or General Police Act:

The Word "Householders" in all Burghs shall mean all Persons entitled to vote in the Election of Members of Parliament; but in Districts it shall mean all Persons assessed under and for the Purposes of any Local or General Police Act which may be in force therein; and in Parishes it shall mean all Ratepayers under the Act of the Eighth and Ninth *Victoria*, Chapter Eighty-three:

The Expression "Police Rates" shall mean the Rates, Tolls, Rents, Income, and other Monies whatsoever which under the Provisions of any Police Act shall be applicable for the general Purposes of such Act.

Meeting to be called for considering the Adoption of this Act in any Burgh, District, or Parish.

3. Upon the Requisition in Writing of the Magistrates and Council or of Ten Householders in any Burgh, District, or Parish, the Chief or Senior Magistrate of such Burgh, or in the Case of a District or Parish the Sheriff of the County or One of his Substitutes, shall, within Ten Days after the Receipt of such Requisition, convene a Meeting of Householders, and preside at the same for the Purpose of considering whether this Act shall be adopted for such Burgh, District, or Parish, such Meeting to be held in any convenient Place on a Day not less than Twenty-one Days or more than Thirty Days after the Receipt of such Requisition; and Notice of the Time and Place of such Meeting shall be given by affixing the same upon the Doors of the Parish Churches within such Burgh, District, or Parish, and also by advertising the same in at least One Newspaper published or circulated

circulated within such Burgh, District, or Parish not less than Seven Days preceding the Day of Meeting.

Act may be adopted at Meeting by a Majority, and Chairman to cause a Minute to be made, and to sign it.

4. If at such Meeting it shall be determined by a Majority of Householders present that the Provisions of this Act shall be adopted in such Burgh, District, or Parish, then the same shall from thenceforth come into operation therein; and the Chairman of the Meeting shall cause a Minute to be made of the Resolutions of the Meeting, and shall sign the same.

Expenses of carrying this Act into execution in Burghs and Districts to be paid out of the Police Rate.

5. The Expenses incurred in calling and holding such Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution when adopted, shall, in the Case of a Burgh or District, be paid out of the Police Rate, and the Magistrates and Council of such Burgh, or the Board of such District, shall yearly levy as Part of the Police Rate, or by a separate Rate, to be made, levied, and recovered by the Magistrates and Council of such Burgh or the Board of such District in such and the like Manner, from the same Descriptions of Persons and Property, and with and under the like Powers, Provisions, and Exceptions as the General Assessments leviable under the Acts of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three (in the Case of Burghs or Districts which on or before the First Day of *August* One thousand eight hundred and sixty-two had adopted in whole or in part the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three), and of the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and one (in the Case of all other Burghs or Districts), for Police and other Purposes, are authorized to be made, levied, and recovered, and as if such Magistrates and Council or the Board of such District were Commissioners elected under any of these Acts respectively, and the said Assessments were Part of the General Assessments authorized to be thereby made; and in the Case of a Parish the Board shall pay the Expenses aforesaid out of a Rate to be made, levied, and recovered in like Manner, and from the same Description of Persons and Property, and with and under the like Powers, Provisions, and Exceptions, as the Poor Rate leviable under the Act of the Eighth and Ninth *Victoria*, Chapter Eighty-three: Provided always, that nothing herein contained shall prevent the City of *Glasgow* or any other Place from levying a Rate for the Purposes of this Act, in conformity with the Provisions of any Local Police Act which may for the Time being be in force in said City of *Glasgow* or other Place.

Rate levied not to exceed the Sum of

6. The Amount of the Rate to be so levied for the Purposes of this Act in any Burgh, District, or Parish in any One Year shall not

One Penny in the Pound of yearly Rent.

not exceed the Sum of One Penny in the Pound of yearly Rent, and the Magistrates and Council of any Burgh, or the Board of any District or Parish, shall provide and keep Books in which shall be entered true and regular Accounts of their Receipts, Payments, and Liabilities with reference to the Execution of this Act, to be called "The Public Libraries Account;" and such Books shall, without Fee or Reward, and at all reasonable Times, be open to the Inspection of every Person liable to be assessed by virtue of this Act, who respectively may, without paying for the same, take Copies of or make Extracts from such Books; and in case such Magistrates and Council of any Burgh, or Board of any District or Parish, or any of them respectively, or any of their respective Officers or Servants having the Custody of such Books, shall not permit the same to be inspected, or Copies of or Extracts from the Accounts to be made or taken, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds, such Penalty to be recovered before the Sheriff or Justices of the Peace in like Manner as provided for the Recovery of Small Debts, and to be applied when recovered towards the Purposes of this Act.

The Accounts of the Magistrates and Council, or the Board of any District or Parish, to be open to Inspection.

Power to Council or Board to borrow on Mortgage or Bond.

7. For carrying this Act into execution, the Magistrates and Council of any Burgh or the Board of any District or Parish respectively may from Time to Time borrow at Interest on the Security of a Mortgage or Bond of the Rates to be levied in pursuance of this Act such Sums of Money, to be repaid by yearly Instalments within a Period not exceeding Thirty Years, as may be by them respectively required; and the Commissioners for carrying into execution the Act of the Ninth and Tenth *Victoria*, Chapter Eighty, may, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time advance and lend such Sums of Money.

Provisions of 8 & 9 Vict. c. 17. as to Borrowing Powers extended to this Act.

8. The Clauses and Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, and the Accountability of Officers, and the Recovery of Damages and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be held as incorporated with this Act.

Boundaries of Burghs, &c.

9. The Boundaries of Burghs and Districts shall be the same as the Boundaries declared for such Burghs and Districts by and for the Purposes of the Acts of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three, and Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and one, or any Local Police Act which may for the Time being be in force in any such Burghs or Districts.

10. The

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

10. The Magistrates and Council of any Burgh or the Board of any District or Parish, as the Case may be, may from Time to Time appropriate for the Purposes of this Act any Lands or Buildings vested in them, and also out of the Rates levied or Money borrowed as herein provided purchase, feu, or rent any Land or any suitable Building, and may upon any Land so appropriated, rented, feued, or purchased erect any Buildings suitable for Public Libraries, Art Galleries, or Museums, or each respectively, and may alter or extend any Buildings for such Purposes, and repair and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Certain Clauses of 8 & 9 Vict. c. 19. incorporated with this Act.

11. All the Clauses and Provisions of the "Lands Clauses Consolidation Act (*Scotland*), 1845," with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making a Title, and also with respect to Conveyances of Lands, so far as the same Clauses and Provisions respectively are applicable to the Cases contemplated by the last Section, shall be held as incorporated in this Act; and the Expression "the Special Act," used in the said Clauses and Provisions, shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking," used in the same Clauses and Provisions, shall be construed to mean the Magistrates and Council of the Burgh or the Board of the District or Parish in question.

Lands, &c. may be sold or exchanged.

12. The Magistrates and Council of any Burgh and the Board of any District or Parish may sell any Land, Buildings, or other Property vested in them for the Purposes of this Act, or exchange the same for any Land, Buildings, or other Property better adapted for the Purposes, and may also sell or exchange any Books, Works of Art, or other Property of which there may be Duplicates; and the Monies to arise from such Sale or Exchange shall be applied for the Purposes of this Act.

Property of Library, &c. vested in Magistrates, &c., Burghs, and Boards of Districts or Parishes.

13. The Lands and Buildings so to be appropriated, purchased, or rented, and all other Real or Personal Property whatever presented to or purchased for any Library, Art Gallery, or Museum established under this Act, shall, in the Case of a Burgh, be vested in the Magistrates and Council, and in the Case of a District or Parish in the Board.

General Management to be vested in a

14. The Magistrates and Council of any Burgh or the Board of any District or Parish where this Act has been adopted shall, within One Month after its Adoption, and thereafter from Year

Committee appointed by Magistrates and Councils of Burghs and Boards of Districts or Parishes.

to Year, in the Case of a Burgh at the First Meeting after the annual Election of Town Councillors, in the Case of a District at the First Meeting after the annual Election of Police Commissioners, and in the Case of a Parish at the First Meeting after the annual Meeting for the Election of representative Members of the Parochial Board, appoint a Committee, consisting of not more than Twenty Members, Half of whom shall be Magistrates and Members of the Council or Members of the Board respectively, and the remaining Half shall be chosen by the Council or Board from amongst the Householders not Members of the Council or Board within such Burgh, District, or Parish, as the Case may be, Three to be a Quorum; and such Committee so appointed shall have Power, under the Authority of the Magistrates and Council or Board, as the Case may be, to purchase Books, Newspapers, Reviews, Magazines, and other Periodicals, Statuary, Pictures, Engravings, Maps, and Specimens of Art and Science, for the Establishment, Increase, and Use of such Libraries, Art Galleries, and Museums, and to do all things necessary for keeping the same in a proper State of Preservation and Repair; and such Committee, subject as aforesaid, shall manage, regulate, and control such Libraries, Art Galleries, and Museums, and shall make Rules and Regulations for the Safety and Use of the same, and shall also have Power to appoint salaried Officers and Servants, to pay and dismiss them, and from Time to Time to provide the necessary Fuel, Lighting, and other Matters.

Meetings and Chairman of Committee.

15. The Committee appointed as aforesaid shall, in the Case of a Burgh or District, meet once in every Three Months, or oftener if necessary, and in the Case of a Parish as often as may be necessary, to determine as to any Business connected with such Libraries, Art Galleries, or Museums; and in the Case of a Burgh the Provost, in the Case of a District the senior Magistrate, and in the Case of a Parish the Chairman of the Parochial Board, shall be Chairman of such Committee, and such Chairman shall, in the Case of an Equality of Votes, have a Casting Vote in addition to his Vote as an Individual; but in the Absence of such Chairman, the Meeting shall elect a Chairman who, for the Time being, shall exercise the Privileges of the Chairman appointed under this Act.

If Meeting determine against Adoption of Act, no other Meeting to be called for Two Years.

16. If any Meeting called as aforesaid to determine as to the Adoption of this Act for any Burgh, District, or Parish shall determine against the Adoption, no Meeting for a similar Purpose shall be held for the Space of Two Years at least from the Time of holding the previous Meeting.

17. Wherever

Art Galleries or Museums may be added to Public Libraries.

17. Wherever a Public Library has been established under any Act relating to Public Libraries or Museums, or shall hereafter be established under this Act, an Art Gallery or Museum, as the Case may be, may at any Time be established in connexion therewith, without any further Proceedings being taken under this Act.

Libraries, &c. to be free.

18. All Libraries, Art Galleries, or Museums established under this Act shall be open to the Public free of all Charge.

Short Title.

19. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Public Libraries Act (*Scotland*), 1867."

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXXVIII.

An Act for the Preservation of *Bunhill Fields* Burial Ground in the County of *Middlesex* as an open Space; and for other Purposes relating thereto. [15th *July* 1867.]

WHEREAS the Piece or Parcel of Land or Ground and Hereditaments, commonly called *Bunhill Fields* Burial Ground, situate in *Bunhill Fields* in the Parish of *Saint Luke*'s in the County of *Middlesex*, more particularly described in the Schedule hereto, and herein-after referred to as "the said Burial Ground," is situate within and Parcel of the Manor of *Halliwell* and *Finsbury*, with the Rights, Members, and Appurtenances thereof, heretofore belonging to the Prebend of *Halliwell* and *Finsbury* within the Cathedral Church of *St. Paul*, *London*, or otherwise formed Part of the Lands and Hereditaments of the said Prebend, and the same, together with the other Lands and Hereditaments of the said Prebend, under or by virtue of the Acts of Parliament constituting or relating to the Ecclesiastical Commissioners for *England*, or some or One of them, and by reason of the Decease in or about the Year One thousand eight hundred and fifty-six of the last Prebendary of the said Prebend of *Halliwell* and *Finsbury*, is now absolutely vested in the

 said

said Ecclesiastical Commissioners for *England* for an Estate of Freehold and Inheritance in Fee Simple expectant on the Determination of the Term of Ninety-nine Years granted by the Indenture of Lease of the Thirtieth Day of *May* One thousand seven hundred and sixty-nine, herein-after more particularly recited or referred to:

And whereas the said Manor of *Halliwell* and *Finsbury*, with other Lands and Hereditaments of the said Prebend, including the said Burial Ground, has been for many hundred Years now last past in the actual Possession and Occupation of the Mayor, Commonalty, and Citizens of the City of *London* or their Under-tenants, under successive Leases thereof from Time to Time granted by the Prebendary for the Time being of the said Prebend of *Halliwell* and *Finsbury*, and the same Burial Ground is now in the actual Possession or Occupation of the said Mayor, Commonalty, and Citizens for the unexpired Residue of the Term of Ninety-nine Years computed from the Feast of the Birth of our Lord *Christ* One thousand seven hundred and sixty-eight, by an Indenture of Lease bearing Date the Thirtieth Day of *May* One thousand seven hundred and sixty-nine, made between the Reverend *Christopher Wilson*, Doctor in Divinity, the then Prebendary of the said Prebend of *Halliwell* and *Finsbury* of the one Part, and the said Mayor, Commonalty, and Citizens of the said City of *London* of the other Part, and granted in pursuance of an Act of Parliament passed in the Eighth and Ninth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Reverend* Christopher Wilson, *Doctor in Divinity, Prebendary of the Cathedral Church of* St. Paul, London, *to make and grant unto the Mayor and Commonalty and Citizens of the City of* London *a Lease of the Prebendal Estate of* Halliwell *and* Finsbury *in the Suburbs of the said City for a Term of Ninety-nine Years:*

And whereas the said Burial Ground has been for the Period of upwards of Two hundred Years now last past, with the Knowledge and express or implied Sanction of the successive Prebendaries of the said Prebend, appropriated by the said Mayor, Commonalty, and Citizens as a Churchyard or Burial Ground or Place of public Interment, and many Funerals have been publicly performed there since the Year One thousand six hundred and sixty-five by Clerks in Holy Orders, according to the Rites and Usages of the Church of *England* by Law established, with the Knowledge and Assent of the Prebendaries of the said Prebend and of the Bishops of *London* for the Time being:

And whereas it is expedient that Provision should be made, in manner herein-after appearing, for effectually protecting the said Burial Ground from Desecration, and for the perpetual Preservation thereof from Damage or Injury as an open Space, free to the Public under

under the Care and Regulation herein-after specified, and the said Mayor, Commonalty, and Citizens are willing to continue such Care and Regulation at their own Costs and Charges until the Ecclesiastical Commissioners for *England* shall take the same upon themselves in manner herein-after mentioned, but the aforesaid Purpose cannot be effectually accomplished without the Aid and Authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say:

Interpretation of Words:

"the Burial Ground:"

"the Fences, Walks, Graves, Tombstones, and Premises:"

"the Corporation:"

"the Ecclesiastical Commissioners."

1. Unless there be something in the Subject or Context requiring a different Construction the following Words and Expressions shall be interpreted as follows; viz.: "the Burial Ground" shall mean the Piece or Parcel of Land or Ground more particularly described or referred to in the Schedule hereto; the Expression "the Fences, Walks, Graves, Tombstones, and Premises" shall include as well the House of the Keeper of the Ground and the Appurtenances as also all and singular the Walls, Rails, Fences, paved and Gravel Walks, Gardens, Trees, Shrubs, Plants, and all the Graves, Vaults, Tombs, Tombstones, Monuments, Gravestones, Inscriptions, and all other Matters and Things whatsoever for the Time being in, upon, or about, or in anywise belonging or appertaining to the said Burial Ground; the Expression "the Corporation" shall signify the said Mayor, Commonalty, and Citizens of the said City of *London*, and their Successors for the Time being; and the Expression "the Ecclesiastical Commissioners" shall signify the Ecclesiastical Commissioners for *England* and their Successors for the Time being.

The Burial Ground to be preserved as an open Space.

2. The Burial Ground shall, from Time to Time and at all Times from and after the Determination of the said recited Lease of the Thirtieth Day of *May* One thousand seven hundred and sixty-nine, be held, used, and enjoyed as an open Space accessible to the Public at such Times and under such Regulations in all respects, and shall be inclosed with such Wall or Fence, and be laid out with such ornamental and other Walks, and otherwise in such Manner as the Corporation shall from Time to Time think proper and expedient, subject and without Prejudice to the Provisions herein-after contained; and no House or other Building, whether for the Purposes of Residence or of Trade, or for any other Purpose, shall from henceforth and for ever hereafter be built or erected upon the Burial Ground or any Part thereof other than and except such House

House (if any) as may from Time to Time be provided by the Corporation for the Residence of a Keeper or Custodian of the Burial Ground and his Family, and such Walks, or Fences, or other Erections as the Corporation shall from Time to Time think proper, with a view to the Protection and Preservation of the Burial Ground under the Provisions of this Act.

Corporation to maintain such Ground in good Order.

3. The Corporation shall from Time to Time, at their own Costs and Charges, repair, maintain, and keep in repair and in a good and decent State of Preservation, all and singular the Fences, Walks, Graves, Tombstones, and Premises for the Time being in or about the Burial Ground, and shall from Time to Time, so far and to such an Extent as to the Corporation may seem necessary or proper, renew and replace such of them as shall be worn out or decayed, and shall also cover with Turf or Gravel, or lay out in ornamental Beds or Gardens, or plant with Trees or Shrubs, such Portions of the Burial Ground as shall not be for the Time being used or occupied either as Walks or as the Site of Graves, Vaults, or Tombs, and shall from Time to Time permit and suffer all Persons desiring the same to have Access to the Burial Ground or any Part thereof at all reasonable Times, without Fee or Reward, under such Regulations as the Corporation shall think fit.

Power to Corporation to bring Actions in respect of Injury to Burial Ground.

4. The Corporation may from Time to Time in their own Name bring any Action of Ejectment or Trespass, or other Action at Law or Suit in Equity, for recovering or defending the Possession, or for obtaining the Payment of Damages, or any Mandamus or Injunction in respect of or against any actual or contemplated Injury or Damage to the Burial Ground, or any Part or Parts thereof, or the Fences, Walks, Graves, Tombstones, and Premises in or about the same; and in every such Action, Suit, or other Proceeding all the Parties thereto shall be bound to assume and shall be absolutely estopped from denying the Title of the Corporation to the Possession of the Burial Ground and the Fences, Walks, Graves, Tombstones, and Premises in or about the same.

Power to Ecclesiastical Commissioners to assume Management of Burial Ground.

5. Provided always, That in case the Ecclesiastical Commissioners shall at any Time hereafter desire to take upon themselves the Charge, Management, and keeping up of the Burial Ground and the Fences, Walks, Graves, Tombstones, and Premises, and of such their Desire shall give a written Notification, under their Common Seal, to the Town Clerk for the Time being of the said City of *London*, then and in such Case, from and after the Expiration of Six Calendar Months after the Delivery of such Notice, the Clauses herein-before contained shall be thenceforth read and construed as

if

if the Words "the Ecclesiastical Commissioners" were throughout the same Clauses substituted for the Words "the Corporation," and the Corporation shall thenceforth be wholly relieved and discharged from the Care, Preservation, and Regulation of the Burial Ground, and from all Obligation and Responsibility in relation thereto.

Saving the Rights of the Crown.

6. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Successors, Executors, and Administrators, (other than and except the said Mayor, Commonalty, and Citizens of the said City of *London*, and the Ecclesiastical Commissioners for *England* and their respective Successors,) all such Estate, Right, Title, Interest, Benefit, Profit, Claim, and Demand whatsoever of, in, to, or out of the Burial Ground, and the Fences, Walks, Graves, Tombstones, and Premises respectively, as they, every, or any of them had before the passing of this Act, or could or might have had, held, and enjoyed in case this Act had not been made.

Saving the Rights of the Ecclesiastical Commissioners.

7. Provided always, That nothing herein contained shall affect any Right, Claim, or Interest of the Ecclesiastical Commissioners for *England* upon or against the said Mayor, Commonalty, and Citizens for or on account of any Portion or Portions of the Rents or other Payments either already or to be hereafter received by the said Mayor, Commonalty, and Citizens in their Character of Lessees under the said Lease of the Thirtieth Day of *May* One thousand seven hundred and sixty-nine for or in respect of the said Burial Ground or any of the Graves, Tombs, or Vaults in or about the same.

The SCHEDULE.

All that Piece or Parcel of Land or Ground and Hereditaments commonly called Bunhill Fields Burial Ground, situate in Bunhill Fields in the Parish of Saint Luke in the County of Middlesex, abutting on the West on the Backs of Houses in Bunhill Row, on the South partly on the Ground of the Honorable Artillery Company and partly on the City of London Militia Barracks, on the East partly on a Road called City Road and partly on the Backs of Houses in the said Road, and on the North partly on the Sides of Houses in the City Road and partly on the Backs of Houses in Featherstone Street, and containing the several Dimensions following; that is to say, on the West Side thereof from North to South 415 Feet or thereabouts; on the South Side thereof, from West to East, 520 Feet or thereabouts; on the East Side thereof as the same abuts on City Road aforesaid 240 Feet or thereabouts; then running Westward as the same abuts on the Sides of Houses in City Road 145 Feet or thereabouts; then running Northwards as the same abuts on the Backs of Houses in City Road 170 Feet or thereabouts; and then running Westward as the same abuts on the Backs of Houses in Featherstone Street aforesaid 395 Feet or thereabouts.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXXIX.

An Act for amending the Law with respect to the Accounts of the Receiver for the Metropolitan Police District; and for other Purposes relating to the Metropolitan Police. [15th *July* 1867.]

WHEREAS in order properly to carry into effect the Provisions of the Act passed in the Twenty-ninth and Thirtieth Years of Her Majesty's Reign, so far as respects the Audit of the Accounts of the Receiver for the Metropolitan Police District, it is expedient that the Day in each Year to which the Accounts of Monies received and expended by the Receiver are to be made up should be the same Day as that to which the annual financial Accounts of the Receiver are made up: And whereas the large Increase which has of late Years taken place in the Amount of such Monies has considerably augmented the Duties and Responsibility of the Receiver:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Metropolitan Police.

As to the Accounts to be laid before Parliament.

1. The Amount of all Monies received and expended for the Purposes of the Act passed in the Tenth Year of King *George* the Fourth, Chapter Forty-four, shall be made up to the Thirty-first Day of *March* in lieu of the Thirty-first Day of *December* in each Year, and shall annually be laid before both Houses of Parliament within Thirty Days after the Thirty-first Day of *March*, if Parliament be then sitting, or within Thirty Days after the first Meeting of Parliament subsequent to such last-mentioned Day.

As to Salary of Receiver.

2. The Salary to be paid to the Receiver, in accordance with the Provision in that Behalf contained in the Ninth Section of the Act passed in the Second and Third Years of Her Majesty's Reign, Chapter Seventy-one, shall be not more than Twelve hundred Pounds.

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VICTORIÆ REGINÆ.

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thereof, have been deposited with the Clerk of the Peace for the County of *Middlesex* at his Office at the Sessions House, *Clerkenwell*, and with the Clerk of the *Westminster* District Board of Works:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acquisition of Site.

Purposes of the Act.

1. The Purposes of this Act are the Acquisition of Lands for the Purposes of the New Palace at *Westminster*, and the Construction of a further Embankment of the River *Thames* in connexion therewith, and doing such Works and Things as are or may be necessary for or conducive to the Attainment of the above Purposes, or either of them, or incidental thereto.

Commissioners of Her Majesty's Works as incorporated by 15 & 16 Vict. c. 28. to carry this Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect; but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act, shall be conveyed to Her Majesty, Her Heirs or Successors, for the Purposes of this Act and the herein-before mentioned Act of the Fifteenth and Sixteenth *Victoria*, Chapter Twenty-eight, or for such other Purposes of public Utility as may be sanctioned by Parliament; and the Commissioners shall have Power to sell, lease, or otherwise dispose of any Parts of the prescribed Lands which may not be required for the Purposes of this Act, in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and to convey, lease, and otherwise dispose of all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold, leased, or disposed of.

Power to Commissioners to purchase Lands.

3. The Commissioners may, out of any Monies which have been or may be placed at their Disposal by Parliament for that Object, purchase, acquire, take, and use the whole or any Part of the prescribed Lands.

Commissioners to make good to Parishes of Saint Margaret and

4. And whereas by reason of taking the prescribed Lands or Parts thereof for the Purposes of this Act there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor and making certain Payments directed by Act of Parliament to be made out

out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster:* And whereas the Rates of the said Parishes have been mortgaged, and are now charged with and subject to the Repayment of certain Sums amounting in the aggregate to Twenty-three thousand three hundred and twenty-eight Pounds or thereabouts, Principal Money with Interest thereon, and it is expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as herein-before mentioned: Be it enacted, That the said Commissioners shall from and after the Twenty-fourth Day of *June* One thousand eight hundred and sixty-nine yearly and every Year until the Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament may from Time to Time place at their Disposal for that Purpose, pay and make good to the said Parishes such Sum or Sums of Money not exceeding the Sum of Four hundred and three Pounds *per Annum* as shall be deficient in respect of the said Rates by reason or means of taking the prescribed Lands or any Part thereof for the Purposes of this Act, such Deficiency to be calculated and ascertained with reference to the Sum of Four hundred and three Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and sixty-six in respect of Houses and Buildings which may be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of this Act, an Account of which Deficiencies shall from Time to Time be made out and delivered to the Commissioners, verified by the Collector or other proper Officer of the said Parishes in such Manner and Form as the Commissioners shall direct, and no Payment shall be made until such Account has been delivered, duly verified, to the said Commissioners, and approved of by them or on their Behalf.

Saint John the Evangelist Deficiencies in Rates.

5. The First Payment in respect of such Deficiency, so ascertained and verified as aforesaid, shall be made on the Twenty-fourth Day of *June* One thousand eight hundred and seventy, and the Receipt of the Treasurer for the Time being of the said Parishes or of the Collector for the Time being of the said Rates shall be a good and sufficient Discharge to the Commissioners for such Payment: Provided always, that in case any Act shall be passed before the said Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, rendering Crown or Public Property, or the Owners or Occupiers thereof, liable to be assessed

When First Payment to be made.

assessed to the Poor Rate and other Rates to be raised and levied as herein-before mentioned, the Contribution or Payments by this Act provided for in respect of such Deficiency in the Poor Rates and other Rates as aforesaid shall thereupon cease and be no longer made or paid.

Commissioners to make good Deficiency in Rector's Rate, made under 1 G. 2. c. 15., and pay an annual Sum to Rector of Saint John the Evangelist for Loss of Fees, &c.

6. And whereas by reason of taking the prescribed Lands for the Purposes of this Act there will be Deficiencies in the Produce of the Assessments made and to be made pursuant to a certain Act of Parliament of the First Year of King *George* the Second, Chapter Fifteen, intituled *An Act for making Provision for the Rector of the new Church situate near* Millbank *in the Parish of* Saint Margaret, Westminster, *and for other Purposes therein mentioned*, for raising yearly and every Year One hundred and twenty-five Pounds towards a further Provision for the Rector of the Parish of *Saint John the Evangelist*, as therein mentioned: And for the Purpose of providing against any Deficiency in the Rate referred to in the last-mentioned Act which may be occasioned as aforesaid, be it enacted, That the said Commissioners shall, out of such Monies as have been or may be placed at their Disposal by Parliament for that Purpose, annually make good and pay the Deficiency arising in the said Rate by reason of any Property having been taken or used for the Purposes of this Act, and the said Commissioners shall pay to the Collector appointed by the Vestry of *Saint John the Evangelist* to collect the said Rate, or other proper Authority, all such Deficiency; and in the event of any Difference as to the Amount of such Deficiency, the same shall be definitively settled by an Arbitrator appointed by Her Majesty's Attorney General for the Time being; and the said Commissioners shall also, out of such Monies as aforesaid, pay to the Rector for the Time being of the said Parish the annual Sum of Two Pounds for the Loss of Oblations, Surplice Fees, and other Customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act, such last-mentioned Sum of Two Pounds to be paid to the Rector for the Time being of the said Parish of *Saint John* by half-yearly Instalments of Twenty Shillings each on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in each and every Year, the first half-yearly Payment to be made on the Twenty-fourth Day of *June* One thousand eight hundred and sixty-nine.

Power to Commissioners to enter upon Lands.

7. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands, for the Purpose of surveying or valuing the same.

8. "The

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act; but,

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3.) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of *Westminster* or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

9. Upon the Purchase by the Commissioners of the prescribed Lands (save as herein-after provided) all Rights of Way, Rights of Mooring, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, over, through, or under the prescribed Lands or any Part thereof, including so much of the Bed and Foreshore of the River *Thames* as is within the Limits of the prescribed Lands, and all other Rights or Easements in or relating to such Lands or any Part thereof, shall be extinguished; and all the Soil of such Ways, Bed, and Foreshore, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty, Her Heirs and Successors, for the Purposes of this Act, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

10. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

11. The Limit for the compulsory Purchase of Lands under this Act shall be Three Years.

Powers to Commissioners to execute Works.

12. The Commissioners may embank and fill up the Bed and Shore of the River *Thames* as shown on the aforesaid Plans, and may pull down and remove any Buildings, Stairs, Piers, Landing Places, Hards, Piles, or other Erections on the prescribed Lands, and may construct thereon such Embankment, Stairs, Piers, and Landing Places, Buildings, and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

For Protection of the Owners and Occupier of Dorset Wharf.

13. Nothing herein contained shall extend or be construed to extend to prevent the Trustees or Trustee for the Time being of *Taverner John Miller* Esquire, deceased, their or his Heirs and Assigns, or other the Owners or Owner for the Time being of the Land and Hereditaments known as *Dorset Wharf*, immediately adjoining a Portion of the prescribed Lands, or *George Taverner Miller*, or other the Lessee and Occupier for the Time being of the said Land and Hereditaments, his Executors, Administrators, and Assigns, from commencing and prosecuting any Action or Suit in any of Her Majesty's Courts of Record at *Westminster* which they or he would have been entitled to commence and prosecute if this Act had not been passed, for any Deterioration, Damage, Obstruction, or Injury which they or he shall or may have sustained or shall be apprehensive of sustaining in respect of *Dorset Wharf* aforesaid, in consequence of the Construction of the said Embankment and other Works authorized by this Act: Provided always, that any Damages to be recovered in any such Action, Suit, or other Proceeding, with the Costs thereof, shall be payable and shall be paid by the said Commissioners out of any Monies which may be appropriated by Parliament, and placed at the Disposal of the said Commissioners, for the Purposes of this Act, and that nothing herein contained shall entitle any Person to Damages or Costs who would not have been so entitled if this Act had not been passed.

14. Where

For Protection of Sewers of Metropolitan Board of Works.

14. Where any Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as to interfere with any Main Sewer under the Jurisdiction or Control of the Metropolitan Board of Works, the Commissioners shall not commence such Work until they shall have given to the said Metropolitan Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board shall have signified their Approval of the same, unless such Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Commissioners shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Board may deem necessary for the proper Protection of and for preventing Injury or Impediment to the Main Sewers herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board against any Expense to be occasioned thereby; and all such last-mentioned Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, at the Expense in all respects of the Commissioners; and all Expenses which the said Metropolitan Board may be put to by reason of the Works of the Commissioners, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Board by the Commissioners; and when any new, altered, or substituted Works as aforesaid, or any Works connected therewith, shall be completed by or at the Expense of the Commissioners, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Directions, Jurisdiction, and Control of the said Metropolitan Board as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of the said Metropolitan Board, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed; provided that no Renewal or Alteration, other than a Change of Site of existing Works, shall be deemed new Works under this Act; and if the Commissioners shall complain of any withholding of Consent on the Part of the said Board, or of any Orders and Directions and Regulations, or of any Charges sought to be imposed by such Board upon the Commissioners, in the Execution of any such Works,

Works, it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department for the Time being to determine every such Difference, and by Order under his Hand to authorize the Works, and the Manner of executing the same, as he shall think fit; and after the Date of the Application by the Commissioners to the said Secretary of State no Penalty shall be incurred by any Default of the Commissioners in respect of or in relation to such Works, or the Matters in difference between the Parties.

Buildings exempt from 18 & 19 Vict. c. 122.

15. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Miscellaneous.

No Purchase to be made without the Authority of the Treasury.

16. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or for any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Contracts made by First Commissioner of Works to be valid.

18. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers of this Act given to the Commissioners incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

19. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Assistant Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested

invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

20. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

21. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

22. No Deed, Bond, or other Instrument made by, to, or with the Commissioners, for any of the Purposes of this Act, shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

23. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to or in trust for Her Majesty, Her Heirs or Successors, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and open to Inspection.

24. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times,

Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Short Title.

25. This Act may be cited for all Purposes as "The Houses of Parliament Act, 1867."

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLI.

An Act to make further Provision for the Enlargement of the National Gallery.

[15th *July* 1867.]

WHEREAS under the Provisions of the Act of the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter Eighty-three, (called "The National Gallery Enlargement Act, 1866,") the Commissioners of Her Majesty's Works and Public Buildings have acquired or are empowered to acquire certain Lands for the Enlargement and Improvement of the National Gallery : 29 & 30 Vict. c. 83.

And whereas the Lands described and shown in the Plans herein-after particularly mentioned are Part of the Lands to which the said Act relates, but the said Commissioners have no Power to acquire the same under the Authority of that Act otherwise than by Agreement :

And whereas no Agreement has been made with the Owners or reputed Owners of the said Lands for the Purchase thereof, and such Owners or reputed Owners are of themselves incapacitated from entering into any valid Agreement for that Purpose, and the said Lands being required and necessary for the Enlargement and Improvement of the National Gallery contemplated by the said Act, it is expedient that the said Commissioners should have such further Powers of acquiring and appropriating the said Lands as are herein-after contained :

And

Deposit of Plans and Book of Reference descriptive of Site.

And whereas duplicate Plans describing the Situation of the said Lands to which this Act relates (herein-after referred to as the prescribed Lands), with a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of *Middlesex* at his Office at the Sessions House, *Clerkenwell*, in the said County, and with the Vestry Clerk of the Parish of *Saint Martin in the Fields* at his Office:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Purposes of the Act.

1. The Purposes of this Act are the Acquisition and Appropriation of additional Lands for the Enlargement and Improvement of the National Gallery aforesaid, and the constructing and doing such Works and Things as are conducive to the Attainment of the above Purposes, or any of them, or incidental thereto.

Commissioners of Her Majesty's Works as incorporated by 15 & 16 Vict. c. 28. to carry this Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect; but all the prescribed Lands as and when they shall be acquired for or become appropriated to the Purposes of this Act shall be conveyed to Her Majesty, Her Heirs or Successors, for the Purposes of this Act, or for such other Purposes of public Utility as may be sanctioned by Parliament; nevertheless any Parts of the prescribed Lands which may not be required for the Purposes of this Act may be sold and disposed of by the Commissioners in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and the Commissioners in such Case shall have Power to convey all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold or disposed of.

Power to Commissioners to purchase Lands.

3. The Commissioners may, out of any Monies which have been or may be placed at their Disposal by Parliament for that Object, purchase, take, and use the whole or any Part of the prescribed Lands.

Commissioners may enter Lands to survey or value.

4. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the

the prescribed Lands for the Purposes of surveying or valuing the same.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106., with certain Exceptions, incorporated.

5. The Lands Clauses Consolidation Acts of 1845 and 1860 shall be incorporated with this Act, with the Exceptions and subject to the Provisions herein-before contained, and also with the Exceptions and Additions and subject to the Provisions herein-after contained; that is to say,

1. There shall not be incorporated with this Act the Provisions in Section Sixteen of the Act of 1845, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force, or the Provisions relating to affording Access to the Special Act:
2. In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the Special Act, and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"
3. The Bond required by Section Eighty-five of the Act of 1845 shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of Sureties in the said Section mentioned.

Compensation for Lands belonging to Parochial Schools of St. Martin's taken for Purposes of this Act.

6. Notwithstanding anything in this Act or in the Acts incorporated herewith contained, the Amount of Compensation to be paid by the Commissioners for the Lands belonging to the Parochial Schools of the Parish of *St. Martin-in-the-Fields* in the County of *Middlesex*, or to the School in the said Parish founded by Archbishop *Tenison*, which may be compulsorily taken for the Purposes of this Act, shall be estimated and adjudged for the Cost of the Reinstatement of Archbishop *Tenison*'s School within or in proximity to the Parish of *St. Martin-in-the-Fields*, and of the Reinstatement of the Parochial Schools within the said Parish.

Extinction of Rights of Way and other Easements.

7. Upon the Purchase or Acquisition for the Purposes of this Act of the prescribed Lands or any Part thereof (save as hereinafter provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest or continue vested in Her Majesty, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation (if any) as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount

Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

As to Claims for Compensation by yearly Tenants.

8. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

9. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Powers to Commissioners to execute Works.

10. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act, or any of them.

As to Rights of Metropolitan Board of Works.

11. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Buildings exempt from 18 & 19 Vict. c. 122.

12. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

No Purchase to be made without the Authority of the Treasury.

13. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury; but it shall not be necessary for any Vendor or for any Purchaser from the Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent; and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

14. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

15. All

Contracts made by First Commissioner of Works to be valid.

15. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Monies payable to the Commissioners for Sale of Materials or otherwise to be paid to Her Majesty's Paymaster General.

16. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Assistant Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same; and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

17. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had; subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

18. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Power vested in them under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

19. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

20. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to Her Majesty, Her Heirs and Successors, for

the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in Office of Works, and open to Inspection.

21. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Short Title.

22. This Act may be cited for all Purposes as "The National Gallery Enlargement Act, 1867."

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and delivered and removed, to be free from Hypothec.

the Tenant or Lessee of any Farm or Lands, and shall have been actually delivered to the Purchaser, and removed from such Farm or Lands, and the Price thereof shall have been paid, or whensoever Agricultural Produce shall have been *bonâ fide* purchased at Public Auction from the Tenant or Lessee, or any Party holding his Authority so to sell, after Seven Days written Notice of the Intention of the Tenant or Lessee, or Party holding his Authority to sell by Public Auction, shall have been given to the Landlord or Lessor, or Person or Persons entitled to the Rent of such Farm or Land, or his or their Factor or known Agent, and Sequestration shall not have been obtained and registered in manner herein-after provided previous to or during the Currency of such Notice, then in either of these Cases all Right of Hypothec competent to the Landlord, Lessor, or Person or Persons entitled to the Rent of such Farm or Lands over such Agricultural Produce shall cease and determine: Provided always, that nothing herein contained shall apply to any Agricultural Produce which the Tenant is not entitled legally or by the Terms of his Lease to sell or carry off the Land, or which previous to the Completion of the Purchase thereof by the Removal of the same from the Farm or Lands, and by Payment of the Price, or after such Notice as that above referred to, has been sequestrated at the Instance of such Landlord, Lessor, or other Person, and the Sequestration whereof has been registered in the Register of Sequestrations for Rent, to be kept as herein-after provided, and is in force at the Time of such Purchase.

Hypothec not to be available beyond Three Months after Rent is payable.

4. In the event of the Landlord, Lessor, or Person entitled to the Rent of any Farm or Lands failing to commence Proceedings for making effectual by Sequestration his Right of Hypothec within Three Calendar Months after the conventional Term at which the Year's Rent or the last Portion due thereof is made payable under the Terms of the Lease, Writing, or Bargain under which such Farm or Lands are possessed, or if no conventional Term for Payment of the Rent or any Portion thereof has been agreed upon then within Three Calendar Months after the legal Term at which such Year's Rent or the last Portion due thereof is payable, then all Right of Hypothec for the Rent or Portion thereof payable at such Term, conventional or legal, shall cease and determine: Provided always, that the Provisions of this Section shall not apply to the Landlord's Right of Hypothec, or to his Right to use Sequestration for Rent payable under any Lease, Writing, or Bargain current at the Date of the passing of this Act.

Stock of Third Party taken on a Farm to graze to be liable only to the Amount of Consideration payable for the grazing.

5. In the event of the Tenant or Lessee of any Farm or Lands having received and taken thereon to be grazed or fed any Sheep, Cattle, or other Live Stock belonging to any other Person, and having agreed with the Owner of the same for a *bonâ fide* Payment equal to the just Value of such grazing or feeding, such Sheep, Cattle, or Stock shall be liable to the Hypothec of the Landlord, Lessor, or Person entitled to the Rent of the Farm or Lands to the Extent of the Amount of such Payment, and no further: Provided

Hypothec Amendment (Scotland).

Provided always, that so long as any Portion of such Sheep, Cattle, or other Live Stock shall remain on the Farm or Lands, the Hypothec over such Portion shall continue to the full Extent of the Payment originally agreed upon for the grazing or feeding of the whole of such Sheep, Cattle, or other Live Stock; and that in the event of the Removal of the Sheep, Cattle, or other Live Stock, or any Portion thereof, from the Farm or Lands, the Right of Hypothec shall, so long as the Payment or any Part thereof shall remain unpaid, continue to apply to such Sheep, Cattle, or other Live Stock to the Extent of the Amount of the Payment, or such Part thereof as shall be unpaid.

When Agricultural Produce or Stock is sequestrated, incompetent to sequestrate Furniture, Implements, imported Manures, &c.

6. In the Sequestration for the Rent of any Farm or Lands, as defined by this Act, it shall not be competent to include any Household Furniture or Furnishings or any Agricultural Implements, nor shall it be competent, except as herein-after provided, to sequestrate for the Rent any imported Manure, Lime, Drain Tiles, Feeding Stuffs, or other Material, not being the Produce of or made upon the Farm or Lands, and not at the Time incorporated with the Soil or consumed or otherwise applied to the Purposes for which such Material may have been procured: Provided always, that where Manure of any Kind, or Lime, or Drain Tiles, Feeding Stuffs, or other Material have been brought upon the Farm or Lands for the Purpose of being used thereon in fulfilment of any specific Obligation imposed by the Lease, such Manure, Lime, Drain Tiles, Feeding Stuffs, or other Material may competently be included among the sequestrated Effects: Provided also, that nothing herein contained shall be held as affecting either the Right of using Sequestration or the Description of Articles which may be sequestrated, in so far as respects Premises and Occupations of Buildings or of Lands to which this Act does not apply.

Register of Sequestrations for Rent to be kept.

7. At each Sheriff's or other Court where Sequestration for Rent is or may be granted a Register, entitled the "Register of Sequestrations for Rent" for the particular Court, shall be kept by the Sheriff Clerk, Sheriff Clerk Depute, or other Officer of Court having Custody of the Records thereof, in the Form set forth in the Schedule appended hereto, or as nearly in that Form as may be, and on the granting of any Sequestration for Rent there shall be forthwith entered in such Register the Name or Names of the Tenant or Lessee whose Agricultural Produce, Live Stock, or Effects are sequestrated, and the several Particulars detailed in the Schedule appended hereto; and every Person shall be entitled, on Payment of a Fee of One Shilling, to search the said Register during Office Hours of every Day on which the Office of the Sheriff Clerk, Sheriff Clerk Depute, or other Officer of Court having the Custody thereof shall be open; and all such Fees shall be duly accounted for and shall be paid by the Sheriff Clerk, Sheriff Clerk Depute, or other Officer receiving the same to the Credit of Her Majesty's Exchequer at such Times and in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct.

SCHE-

SCHEDULE referred to in the foregoing Act.

REGISTER of SEQUESTRATIONS for Rent for the County of

Name and Residence of Tenant or Lessee whose Produce, Stock, or Effects are sequestrated.	Date of Sequestration.	Name or Description of rural or urban Subjects.	Rent for which Sequestration granted.	Date when payable.	Landlord or Person taking out Sequestration.

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Saving of Rights of Owners beyond the Jurisdiction of the Board established by this Act.

2. It is hereby declared that, as against any Person owning or interested in any Land or other Property situate beyond the Limits of the Jurisdiction of the Board established by this Act, nothing contained in the said Drainage and Improvement of Lands Act (*Ireland*), 1863, or in the said Provisional Order, or in this Act, shall be construed to render legal any Work executed or to be executed by such Board that would, if the said Acts had not been passed, have been illegal by reason of its injuriously affecting such Land or Property; and any Damages adjudged to be paid by the said Board to any Person as aforesaid shall be deemed to be Part of the Costs incurred by such Board in defending legal Proceedings instituted against them, and shall be defrayed in manner in which the said Costs are authorized to be defrayed by the Drainage and Improvement of Lands Act (*Ireland*), 1863.

Short Title.

3. This Act may be cited for all Purposes as "The Drainage and Improvement of Lands Supplemental Act (*Ireland*), 1867."

SCHEDULE to which the Act refers.

Drainage and Improvement of Lands Act (Ireland), 1863; 26 & 27 Victoria, Chapter 88; 27 & 28 Victoria, Chapter 72; 28 & 29 Victoria, Chapter 52.

In the matter of BRICKEY Drainage District, county of Waterford.

WHEREAS certain proprietors of and persons interested in the lands adjoining the Brickey River, on or about the Nineteenth day of March One thousand eight hundred and sixty-six, presented their Petition to the Commissioners of Public Works in Ireland, under the provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, and the Acts since passed amending the same, accompanied by the proper schedules, maps, plans, sections, and estimates, together with other particulars and information required by the said Act, showing by reference to the said map the boundaries and area of the proposed Drainage District, and stating the exigencies rendering the formation of such Drainage District necessary, and praying that the said lands within the proposed District should be constituted a separate Drainage District under the provisions of the said Act:

And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, civil engineer, an inspector duly appointed under the said Act:

And whereas all notices and inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us the said Commissioners in writing the result of his inquiries, and we the said Commissioners have duly considered the same, and no objections to the report of the said Inspector have been made to us, and all preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with:

And whereas the said Commissioners of Public Works in Ireland, upon consideration of the premises, are satisfied of the propriety of constituting the proposed separate Drainage District, and that the proprietors of two third parts in value of the lands in the proposed District are in favour thereof, and have subsequently to the date of the report of the said Inspector assented thereto in writing:

Now, therefore, in pursuance of the power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do by this Provisional Order under our common seal constitute the area in the said petition and report, and the boundaries and extent of which are set forth within yellow lines on a certain map to which we have caused our common seal to be attached, and which map is deposited in the office of Public Works in Ireland, a separate Drainage District by the name of "The Brickey River Drainage District;" and we do declare, that the lands to be purchased for the proposed works in such District, subject to such alterations and deviations therefrom as we the said Commissioners may hereafter sanction, are the lands in that behalf shown and set forth in the said map and the schedule thereto annexed, marked with the letter B, and also sealed with our common seal:

And we the said Commissioners of Public Works do, by this our Provisional Order, order and direct that the time for completion of the necessary works in the

the said District shall be limited to the First day of November which will be in the year One thousand eight hundred and sixty-nine :

And we do further by this our Provisional Order make the following regulations with respect to the Drainage Board:—

That the Drainage Board for the said District shall consist of eight members :

That the following persons shall be the members of the first Drainage Board; viz.,—

Lord Stuart de Decies of Dromana in the county of Waterford; Sir Richard Musgrave, Baronet, of Tourin in the county of Waterford; Edward O'Dell of Carriglea in the county of Waterford, Esquire; Thomas Egan of Ballintogher in the county of Waterford, Esquire; John Quinlan of Clonkerden in the county of Waterford, Esquire; Edmond Spratt of Coolcormuck in the county of Waterford, Esquire; Patrick Curran of Ballycullane in the county of Waterford, Esquire; William McCarthy of Ballyduff in the county of Waterford, Esquire :

That the first meeting of said Board shall be summoned by notice under the hands of any two or more of the said Board, published in the Dublin Gazette, and some newspaper generally circulated in the said District, at least fourteen days next before the day of meeting :

That the qualifications of any subsequent member of the said Board shall be that he shall be the proprietor (as defined by the said Act, and the Acts referred to therein or incorporated therewith,) of not less than twenty acres of land situate within the area of the said District, or the land agent for the time being of a person being a proprietor as aforesaid of not less than one hundred acres of land, situate within the area of said District, and acting as receiver of the rents and profits of such lands :

That the members of the first Board shall vacate their offices on the first Thursday in September in the year following the date of this Provisional Order :

That the electors for members of the Drainage Board shall be the persons in that behalf mentioned in the said Act; provided alway, that no such elector shall be entitled to vote or exercise any privilege as such, unless the land of which he is the proprietor, or some portion thereof, shall be rateable on account of the works in the District, and he shall have previously paid all rates and arrears of rates which may be payable by him in respect of any drainage rate for the aforesaid District.

In witness whereof we, the said Commissioners of Public Works in Ireland, have hereunto caused our common seal to be affixed this Eighth day of April One thousand eight hundred and sixty-seven.

(L.S.) E. Hornsby, Secretary.

Office of Public Works, Dublin.

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assigned to them (if not inconsistent with the Context or Subject Matter); that is to say,

"Her Majesty:" The Expression "Her Majesty" shall mean the Sovereign for the Time being:

"Chancery Court:" The Expressions "Court of Chancery," "Chancery," and "Court" shall mean the Court of Chancery in *Ireland*:

"Lord Chancellor:" The Expression "Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners for the Custody of the Great Seal of *Ireland*:

"Master of the Rolls:" The Words "Master of the Rolls" shall mean the Master of the Rolls in *Ireland*:

"Master:" The Word "Master" shall mean Master in Ordinary of the Court of Chancery in *Ireland*:

"Master's Examiner:" The Words "Master's Examiner" shall mean Clerk and Examiner to a Master in Ordinary of the Court of Chancery in *Ireland*:

"Bill of Complaint:" The Words "Bill of Complaint and Bill" shall mean also and include Information:

"Plaintiff:" The Word "Plaintiff" shall include Informant:

"Suit:" The Word "Suit" shall include Cause, Matter, or other Proceeding:

"Affidavit:" The Word "Affidavit" shall include Declaration, Affirmation, and Attestation upon Honour; and the Word "swear" shall include declare, affirm, and attest upon Honour:

"Lunatic:" The Word "Lunatic" shall include Idiots and Persons of unsound Mind, and whether found such by Inquisition or not:

"General Order:" The Words "General Order," "General Order of the Court," shall mean a General Order made in the Manner herein-after provided:

"Agent" and "Town Agent." The Words "Agent" and "Town Agent" shall mean an Agent or Town Agent being a practising Solicitor.

Divisions of Act.

3. This Act shall consist of Five Parts, relating to:—

Part I. The Appointment of a Vice-Chancellor:

Part II. The Abolition of the Office of Master in Ordinary of the Court of Chancery:

Part III. Procedure and Practice:

Part IV. Stamps and Fees:

Part V. Miscellaneous Matters.

PART

PART I.

PART I.

Appointment of a Vice-Chancellor, &c.

Appointment of Vice-Chancellor, &c.

Appointment of Vice-Chancellor.

4. It shall be lawful for Her Majesty to nominate and appoint, by Letters Patent under the Great Seal of *Ireland*, a fit Person, being or having been a Barrister-at-Law of Fifteen Years standing at the least, to be a Judge Assistant to the Lord Chancellor of *Ireland* in the Discharge of the Judicial Functions of his Office, such additional Judge to be called the Vice-Chancellor of *Ireland*: Provided that no Vice-Chancellor appointed under this Act shall during his Tenure of Office be capable of sitting in the House of Commons.

Appointment of Successors of Vice-Chancellor.

5. From Time to Time, when and as any Vacancy shall occur in the Office of the Vice-Chancellor who shall be appointed under this Act, by the Death, Resignation, or Removal from Office of such Vice-Chancellor or his Successor for the Time being, it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of *Ireland*, to appoint a fit Person, being or having been a Barrister-at-Law of Fifteen Years standing at the least, to supply such Vacancy.

Jurisdiction and Powers of Vice-Chancellor.

6. Every such Vice-Chancellor shall have full Power to hear and determine all Suits which are or shall be at any Time depending in the Court of Chancery in *Ireland* as a Court of Equity, or incident to any ministerial Office of the said Court, or which shall have been or shall be submitted to the Jurisdiction of the said Court or of the Lord Chancellor by the special Authority of any Act of Parliament, as the Court shall from Time to Time by any General Order direct; and all Decrees, Orders, and Acts of such Vice-Chancellor so made or done shall be deemed or taken to be respectively, as the Nature of the Case shall require, Decrees, Orders, and Acts of the said Court of Chancery, or of such incident Jurisdiction as aforesaid, or under such special Authority as aforesaid, and shall have Force and Validity and be executed accordingly, subject nevertheless to be afterwards reversed or altered in like Manner as if they were Decrees, Orders, or Acts of the Lord Chancellor or the Master of the Rolls; and no such Decree or Order shall be enrolled until the same shall be signed by the Lord Chancellor.

To sit for Lord Chancellor when required.

7. Every such Vice-Chancellor shall sit for the Lord Chancellor whenever he shall require him so to do.

Rank and Precedence of the Vice-Chancellor.

8. The Vice-Chancellor shall have Rank and Precedence next after the Lord Justice of the Court of Appeal in Chancery in *Ireland*, provided the latter shall not have held the Office of Lord Chancellor

Chancellor of *Ireland;* and in case the Lord Justice of the Court of Appeal for the Time being shall have held the Office of Lord Chancellor of *Ireland*, then the Vice-Chancellor shall have Rank and Precedence next after the Chief Baron of Her Majesty's Court of Exchequer in *Ireland*.

To hold Office during good Behaviour.

9. Every Vice-Chancellor shall hold his Office during his good Behaviour: Provided always, that it shall be lawful for Her Majesty to remove any such Vice-Chancellor from his Office upon an Address of both Houses of Parliament.

Oath of Vice-Chancellor.

10. Every Vice-Chancellor shall, previous to his executing any of the Duties of his Office, take the following Oath, which the Lord Chancellor or the Master of the Rolls for the Time being is hereby respectively authorized and required to administer:

'I do solemnly and sincerely promise and swear,
'That I will duly and faithfully, and to the best of my Skill and
'Power, execute the Office of Vice-Chancellor of *Ireland*.
'So help me GOD.'

Appointment of Chief Clerks.

11. It shall be lawful for the Master of the Rolls and the Vice-Chancellor for the Time being respectively, with the Approbation of the Lord Chancellor, to appoint One Chief Clerk each, to be respectively attached to the Court of each such Judge and his Successors in Office, for the Purpose of assisting the Judge in Business not of a Judicial Character, and on any Vacancy in such Office of Chief Clerk to supply such Vacancy.

Qualification of Chief Clerks.

12. No Person shall be appointed Chief Clerk to the Master of the Rolls or to the Vice-Chancellor unless he shall have been admitted on the Roll of Solicitors or Attorneys in One of the Superior Courts at *Dublin*, and shall have practised as Solicitor or Attorney for the Period of Ten Years at least immediately preceding his Appointment, or unless he shall have held the Office of Master's Examiner in the Court of Chancery in *Ireland*, or shall have held some other Office or Offices in the Court of Chancery for a Period of Seven Years.

Appointment of Junior Clerks.

13. It shall be lawful for the Master of the Rolls and the Vice-Chancellor respectively, subject to the Provision herein-after contained as to the Appointment of the First Junior Clerks, to appoint Two Junior Clerks to the Chief Clerk of his Court, and on any Vacancy to supply such Vacancy.

Officers under Act not to take

14. If any Person who shall accept any Office under this Act shall engage in any other Employment whatever whilst he holds such

such Office, or shall receive any Sum of Money or Benefit other than his Salary, and what may be allowed or directed to be taken by him under any Act of Parliament or Order of the said Court, for any Act done or pretended to be done, or any Attendance given or pretended to be given, either with or without the Consent or Direction or pretended Consent or Direction of any Judge of the Court, in relation to or arising out of any Proceeding in his Office or in any Office of or connected with the Court of Chancery, or if such Person, having been a Solicitor or Attorney, shall directly or indirectly receive or secure to himself any continuing Benefit from any Business or Firm in which he may have been engaged previously to his Appointment to such Office, the Person so offending may be removed from his Office by Order of the Lord Chancellor, and if so removed shall be rendered incapable of afterwards holding any Office, Situation, or Employment in the said Court. Fees or Profits, save Salary.

15. Every Solicitor or Attorney who shall be appointed to and shall accept Office under this Act shall cease to be an Attorney or Solicitor, and shall forthwith procure himself to be struck off the Roll of Solicitors of the Court of Chancery, and off the Roll of any of Her Majesty's Courts of Record at *Dublin* on which his Name may be. Solicitor accepting Office to cease to be a Solicitor.

16. Every Chief Clerk shall, subject to the Power of Removal herein-after contained, hold his Office on the same Tenure as an Officer serving in an established Capacity in the permanent Civil Service of the State; and it shall be lawful for the Lord Chancellor, with the Concurrence of the Judge to whose Court any Chief Clerk shall be attached, by an Order to remove any such Chief Clerk, without stating any Cause for such Removal. Tenure of Office of Chief Clerk.

17. Every Junior Clerk shall, except in the Cases herein-after specially provided, hold his Office at the Pleasure of the Judge to whose Court he shall be attached. Tenure of Office of Junior Clerk.

18. Subject to the Regulations which shall be prescribed by the General Orders of the Court, the Chief Clerks and Junior Clerks shall be under the Control of the Judge to whose Court they shall respectively be attached, and shall attend at such Places, during such Times, and for such Hours in each Day, and perform such Duties, as such Judge shall from Time to Time direct. Chief and Junior Clerks to be under Control of the Judge.

19. Every Chief Clerk and every Junior Clerk shall be subject and liable to such and the same Obligations, Prohibitions, and Penalties, Chief and Junior Clerks subject to the

same Penalties as are imposed by 4 G. 4. c. 61.

Penalties, so far as the same are not inconsistent with the Provisions of this Act, as are by an Act passed in the Session holden in the Fourth Year of the Reign of King *George* the Fourth enacted with respect to Persons holding any of the Offices in the Court of Chancery therein specified, in the same Manner as if the Enactments therein contained relating to such Officers of the said Court respectively were here repeated in relation to such Chief and Junior Clerk.

Salaries of Chief and Junior Clerks.

20. There shall be paid to every such Chief Clerk, in the first instance, the net yearly Salary of Eight hundred Pounds, to be increased every Year of Service by the net annual Sum of Twenty-five Pounds until the yearly Salary of such Chief Clerk shall amount to the net yearly Salary of One thousand Pounds; and to every such Junior Clerk, in the first instance, the net yearly Salary of Two hundred and fifty Pounds, to be increased in like Manner by the net annual Sum of Ten Pounds until the yearly Salary of each Junior Clerk shall amount to the net yearly Salary of Three hundred and fifty Pounds; and the said Salaries respectively shall be free from all Taxes and Deductions, except in respect of Income Tax, and shall be paid out of the Funds and in the Manner herein-after provided; but no such Increase of Salary shall be made without a Certificate from the Judge to whose Court such Chief or Junior Clerk shall be attached that he has conducted himself in his Office to the entire Satisfaction of such Judge.

Salary of Vice-Chancellor.

21. There shall be paid to the Vice-Chancellor for the Time being the net yearly Salary of Four thousand Pounds, which Salary shall issue and be payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and shall be free from all Taxes and Deductions, except in respect of Income Tax, and shall be paid quarterly on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October* in every Year, by equal Portions, and the first of such Payments, or a proportionate Part thereof, to be computed from the Time of the Appointment of such Vice-Chancellor, shall be made on such of the said Days of Payment as shall first happen after the Date of such Appointment; and upon the Resignation, Death, or Removal from Office of any such Vice-Chancellor, such Vice-Chancellor, his Executors or Administrators, shall be paid such proportionate Part of his Salary as shall have accrued from the Time of the Commencement of such Salary, or from the last quarterly Day of Payment thereof, to the Time of such Resignation, Death, or Removal from Office.

22. Her

Court of Chancery (Ireland).

Retiring Pension to Vice-Chancellor.

22. Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, may grant unto any Person executing the Office of Vice-Chancellor, in pursuance of this Act, an Annuity not exceeding Two thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence, to commence immediately after the Period when the Person to whom such Annuity shall be granted shall resign the said Office of Vice-Chancellor, and to continue from thenceforth during the natural Life of the Person to whom the same shall be granted; and such Annuity shall be issued and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and such Annuity shall be paid quarterly, free from all Taxes and Deductions whatsoever, except Income Tax, by equal Portions, on the same quarterly Days as the Salary of such Vice-Chancellor was payable; and the first quarterly Payment, or a proportionate Part thereof, to be computed from the Time of the Resignation of the said Office, shall be made on such of the same Days as shall happen next after the Resignation of the said Office; and the Executors and Administrators of the Person to whom the same Annuity shall be granted as aforesaid shall be paid such proportionate Part of the said Annuity as shall accrue from the Commencement or the last quarterly Payment thereof, as the Case may be, to the Day of his Death; provided that it shall be lawful for Her Majesty, in and by such Letters Patent, to limit the Duration of Payment of such Annuity or any Part thereof to such Periods of Time during the natural Life of such Person in which he shall not exercise any Office of Profit under Her Majesty, so that such Annuity, together with the Salary and Profits of such other Office, shall not exceed in the whole the said Sum of Two thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence; provided also, that no Annuity granted to any Person having executed the Office of Vice-Chancellor under this Act shall be valid unless such Person shall have continued in the said Office, or in the said Office and the Office of a Judge in One or more of Her Majesty's Superior Courts, or Judge of Her Majesty's Court of Probate in *Ireland*, or Judge of the Landed Estates Court, or of Master in Ordinary of the said Court of Chancery, for the Period of Fifteen Years, or shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, which shall be distinctly recited in the said Grant.

Service as Judge in the Superior Courts to count.

23. In calculating the Service of a Vice-Chancellor under this Act, the Number of Years a Vice-Chancellor shall have acted as One of the Judges of the Superior Courts of Law or Equity in *Ireland* shall in all Cases be included, in case the Party holding the Office of Vice-Chancellor shall have acted as such.

24. It

Appointment of Court Keeper, Crier, and Tipstaff.

24. It shall be lawful for the Vice-Chancellor from Time to Time to appoint a Court Keeper, Crier, and Tipstaff, to be attached to his Court, and the Salaries of the Persons so to be appointed shall be of such respective Amounts as the Lord Chancellor and the Commissioners of Her Majesty's Treasury shall in each Case determine; and such Salaries shall be paid to each Person so to be appointed out of the Funds herein-after mentioned.

Appointment of a Chief Clerk and Junior Clerks by Lord Chancellor.

25. If it shall appear to the Lord Chancellor that the Business of his Court shall render it expedient that a Chief Clerk and Junior Clerks should be appointed, to be attached to the Lord Chancellor and his Successors in Office, for the Purpose of assisting the Lord Chancellor in Business not of a Judicial Character and the Suits belonging to his Court, and in any Matters belonging to or reserved for his Jurisdiction, it shall be lawful for the Lord Chancellor, with the Assent of the Commissioners of Her Majesty's Treasury, to appoint One Chief Clerk, having such Qualification as is herein-before prescribed in reference to the Chief Clerks of the Master of the Rolls and Vice-Chancellor respectively, and Two Junior Clerks, and on any Vacancy in such Offices to supply such Vacancy; and every Chief Clerk and Junior Clerk so to be appointed shall hold his Office by the like Tenure, and shall have the like Powers, and shall be entitled to the like Salaries, Allowances, and Benefits, and shall be subject to the like Obligations, Prohibitions, and Penalties, as a Chief Clerk or Junior Clerk attached to the Master of the Rolls or the Vice-Chancellor, but shall be under the Control of the Lord Chancellor, and shall be removable by an Order of the Lord Chancellor and the Lord Justice of the Court of Appeal, without stating any Cause for such Removal.

Power to appoint additional Chief or Junior Clerks.

26. In case it shall appear to the Lord Chancellor that the State of Business in the Court renders it expedient to appoint an additional Chief Clerk or additional Junior Clerks to the Master of the Rolls and the Vice-Chancellor, or to either of them, it shall be lawful for the Lord Chancellor, with the Consent of the Master of the Rolls and the Vice-Chancellor, or One of them, and subject to the Approbation of the Commissioners of Her Majesty's Treasury, to direct that there shall be attached to the Master of the Rolls and the Vice-Chancellor, or to either of them, as the Case may be, such additional Chief Clerk or additional Junior Clerks as aforesaid; and thereupon it shall be lawful for the Judge to whose Court such Chief Clerk or Junior Clerk shall be attached to appoint in manner aforesaid such additional Chief Clerk or Junior Clerk, as the Case may be, and on any Vacancy in such Office of additional

additional Chief Clerk or Junior Clerks to supply such Vacancy; and every Chief Clerk or Junior Clerk so appointed shall possess the like Qualifications, and shall hold his Office by the like Tenure, and shall have the like Powers, and shall be entitled to the like Salaries, Allowances, and Benefits, and subject to the like Obligations, Prohibitions, and Penalties, as a Chief Clerk or Junior Clerk attached to the Master of the Rolls or the Vice-Chancellor.

PART II.

PART II.

Masters Abolition.

Masters Abolition.

27. The Office of Master in Ordinary of the said Court of Chancery, except the Office of Receiver Master of the said Court, which shall be maintained for the Performance of certain special Duties, as herein-after provided, shall be and the same is hereby abolished, but reserving and subject to the Execution by the present Masters in Ordinary of the said Court whose Offices are hereby abolished of the Duties herein-after provided for; and until they are released under this Act they shall for the Performance of such Duties continue to have all the Powers conferred upon them by any Act of Parliament, or otherwise vested in them.

Office of Master, except that of Receiver Master, abolished.

28. No Vacancy which has already occurred or may hereafter occur in the Office of Master in Ordinary of the said Court, other than that of Receiver Master, shall be filled up; and no Vacancy which has already occurred or may hereafter occur in the Office of Examiner, Assistant Clerk, or Registrar to such Master, other than the Examiner or Assistant Clerk of the Receiver Master, shall be filled up, save in the temporary Manner herein-after provided; and no Vacancy in the Office of Examiner to the Receiver Master shall be filled up otherwise than by the Appointment of One of the Examiners of the Masters whose Office is abolished by this Act, save such of them, if any, as shall be appointed Assistant Registrar as herein-after provided, so long as any such Examiner, save as aforesaid, shall continue to be an Officer of the Court; and no Vacancy in the Office of Assistant Clerk to the Receiver Master shall be filled up otherwise than by the Appointment of One of the Assistant Clerks of the Masters whose Office is abolished by this Act, so long as any such Assistant Clerk shall continue to be an Officer of the Court.

Vacancies not to be filled.

29. Whenever in the Judgment of the Lord Chancellor from the State of Business in the said Court any Master whose Office is hereby

Masters may be released.

hereby abolished can be spared, it shall be lawful for the Lord Chancellor to release such Master from his Duties as such at such Time or Times as to him shall seem meet.

Released Masters to be entitled to Pensions.

30. Each One of the Masters so to be released shall nevertheless continue entitled to receive during his Life, by way of retiring Pension, the full Amount of his Salary as such Master; and the Salaries or retiring Pensions payable to the Masters so to be released shall be payable out of the same Funds, on the Days, and in the same Manner in all respects as their present Salaries.

Power to Masters to summon Parties, &c., and to settle and wind up Proceedings before them.

31. In order as expeditiously as may be to wind up all the Suits which may from Time to Time be depending before or have been referred to any of the Masters whose Office is hereby abolished, it shall be lawful for every such Master, at any Time after the passing of this Act, to summon as he shall deem fit all or any of the Parties to any Suit so depending, or referred, or their Solicitors, and thereupon to proceed with such Suit, and give such Directions and make such Order as he may think necessary for the Purpose of settling and winding up the same; but any such Order shall be subject to be discharged or varied by the Lord Chancellor upon Application made for that Purpose; and the Master shall be at liberty to proceed for the Purposes aforesaid in the Absence of any of the Parties or Solicitors neglecting or refusing to attend the Summons.

Power to Lord Chancellor, upon Master's Report or Certificate, to make Order for Prosecution or final Disposal of any Suit, &c., and for Payment of Costs, &c.

32. In case such Master shall be unable, by reason of the Conduct of Parties or otherwise, to finally dispose of any Suit, he shall be at liberty to dispose of any Part thereof within his Power, and to report or certify on the whole of the Case; and upon such Report or Certificate the Lord Chancellor shall make such Order as he shall think proper on all or any of the Parties for the further Prosecution of the Suit, or for the final Disposal thereof, and for the Payment of the Costs thereof, including any of the Costs which may have been incurred by reason of the Conduct of the Parties.

Notwithstanding Suit abated or defective, Master may proceed.

33. Upon a Suit in which any Proceeding may from Time to Time be depending before any such Master becoming abated by Death, Marriage, or otherwise, or becoming defective by reason of some Change or Transmission of Interest or Liability, it shall be lawful for such Master, notwithstanding that the Suit has become abated or defective, to summon, as he shall deem fit, all or any of the Parties to the Suit or Proceeding, or their or any of their Solicitors, and to require and obtain from them or any of them such Information as may to him seem necessary or proper respecting the Abatement of the Suit, or respecting the same having become defective,

defective, and the Change or Transmission of Interest or Liability, and respecting the Person or Persons by and against whom the Suit and Proceedings ought to be revived, or the Decree or Order carried on and prosecuted, for which Purpose such Master shall be at liberty to proceed in the Absence of any of the Parties or Solicitors neglecting or refusing to attend to his Summons.

Master may certify Change of Interest.

34. In case such Master shall by the Means aforesaid or otherwise obtain sufficient Information for his Guidance in this Behalf, he shall be at liberty to certify the Abatement of the Suit, or that the same has become defective, and the Change or Transmission of Interest or Liability.

Certificate to have effect of Suggestion and Notice.

35. The Master's Certificate shall be filed, and Notice thereof served by and upon such Person as the Master may direct; and the Person so served shall from the Time of such Service being made become a Party to the Suit, and be bound in all respects in the same Manner as if an Order of Revivor or a Supplemental Decree had been made upon a Bill or Cause Petition duly filed for that Purpose.

If Master unable to obtain Information, the Lord Chancellor may dispose of Suit.

36. In case such Master shall not be able to obtain sufficient Information for his Guidance in certifying as aforesaid, he shall be at liberty to certify the Abatement of the Suit, or that the same has become defective, and the Change or Transmission of Interest or Liability, and that by reason thereof he is unable to dispose of the Proceeding pending before him in the Suit; upon which Certificate the Lord Chancellor shall make such Order as he shall think proper on all or any of the Parties for the further Prosecution of the Suit, or for the final Disposal thereof, and for the Payment of the Costs thereof, including any of the Costs which may have been incurred by reason of the Conduct of the Parties.

Master may certify specially any Decision.

37. In any Suit which may from Time to Time be pending before or have been referred to any Master, he shall be at liberty to certify specially any Decision at which he may arrive, or any other Matter relating thereto, in order to obtain a Decision or Direction by or from the Lord Chancellor for his Guidance in the further Proceedings, or to enable any Party to obtain the Opinion of the Court with reference thereto.

In case of Neglect, &c. of Parties or Solicitors, the Solicitor for Minors

38. In the event of the Parties or their Solicitors refusing or neglecting, within a Time to be fixed by the Master, to file or to bring before the Lord Chancellor any such Certificate or Report as aforesaid, or to serve any Order when drawn up as aforesaid, then, by the Direction

and Lunatics may proceed.

Direction of the Master, the Certificate or Report may be filed or brought before the Lord Chancellor, or the Order may be served by the Solicitor for the Time being in the Matter of Minors and Lunatics; and the Lord Chancellor is hereby empowered to order Payment of the Costs and Expenses of the Solicitor in the Matter of Minors and Lunatics out of such of the Funds in the Suit or by such Parties as to him shall seem just; and in case Payment thereof cannot be obtained by any of the Means aforesaid, the same, by the Direction of the Lord Chancellor, may be paid out of the Suitors Fee Fund.

No further References to be made to Masters, but Masters to finish Business at present pending.

39. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven no Reference shall be made to any of the Masters in Ordinary of the said Court, except in Suits pending at the passing of this Act, or in Suits in which, from some previous Reference having been made in some other Suit connected therewith, the Court may think it expedient to make such Reference, and, except in the Case of the Receiver Master, such References as are herein-after directed: Provided always, that the said Receiver Master and the other Masters in Ordinary of the said Court, until they shall have been removed by Resignation, Death, or otherwise, or released from their Duties under this Act, shall prosecute all the Business which on the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven shall be pending before them, and also all the References which shall be made under Decrees, Decretal or other Orders of the Court in Suits commenced before the last-mentioned Day, or which shall be made in relation to such excepted Matters as aforesaid, and the same, if necessary, shall from Time to Time be distributed amongst or prosecuted by the Masters, or such of them as shall then remain, and the said Receiver Master, and his Successors in Office, in such Manner as the Lord Chancellor shall direct; and the Powers and Authorities now vested in them are hereby reserved to them for the Purpose of executing and performing all the Duties, Matters, and Things which may be still referred to them, or which they may be lawfully called upon to perform.

On Retirement of Masters, their Examiners and Clerks to be entitled to retiring Pensions of the same Amount as Salary.

40. Every Person who on the First Day of *April* One thousand eight hundred and sixty-seven held the Office of Examiner or Assistant or other Clerk or Registrar to any of the Masters in Ordinary of the said Court of Chancery whose Office is by this Act abolished shall, upon the Master to whom he shall be such Examiner or Assistant or other Clerk or Registrar being released from the Duties as such Master under the Authority of this Act, or upon the Death or Resignation of any such Master previously

to

to his being so released, continue to be deemed an Officer of the Court of Chancery, and shall hold by the same Tenure, and be entitled to the like Salary and Superannuation Allowance at the least, as if the Master to whose Office he is attached had not resigned or died, and shall, unless or until he shall retire pursuant to the Provisions of the "Court of Chancery (*Ireland*) Regulation Act, 1850," discharge such Duties suitable to his Position as an Officer of the Court in any Office to which he shall be appointed under this Act, or in the Office of Receiver Master or otherwise connected with the Business of the Court, or the Arrangement and Classification of the Records of the said Court, as shall be assigned to him by any General Order of the Court, and every such Examiner or Assistant or other Clerk or Registrar who shall decline to discharge such Duties when called upon to do so shall forfeit any Benefits to which he would be otherwise entitled under this Act.

Appointment of Office of Second Assistant Registrar.

41. There shall be attached to the said Court a Second Assistant Registrar, who shall hold his Office upon the same Terms and with such Powers in all respects as are provided by a Statute passed in the Fourth Year of His late Majesty King *George* the Fourth, intituled *An Act for the better Administration of Justice in the Court of Chancery in* Ireland, in relation to the Principal Registrars of the said Court, and every such Assistant Registrar shall discharge such Duties in connexion with the Business of the said Court as shall be assigned to him by General Order of the Court; and there shall be paid to every such Assistant Registrar the net yearly Salary of Eight hundred Pounds, to be increased every Year of Service by the net annual Sum of Twenty-five Pounds until the net yearly Salary of such Assistant Registrar shall amount to the net yearly Salary of One thousand Pounds, but so that no such Increase shall take place without a Certificate of the Lord Chancellor to the like Effect as is provided in the Case of the Chief and Junior Clerks to be appointed under this Act, which Salary shall be paid free from all Deductions, except in respect of Income Tax; and the Lord Chancellor shall tender to each of the Master's Examiners whose Office is abolished by this Act, according to his Seniority in Office, the Option of accepting the said Office of Assistant Registrar; and if such Master's Examiner shall, for One Month after such Option has been tendered to him, neglect or decline to avail himself thereof, then the Lord Chancellor shall tender the like Option to the Examiner next in succession as aforesaid, and so *toties quoties;* and in case any of the said Examiners shall avail himself of the said Option, the Lord Chancellor shall thereupon appoint such Person to be an Assistant Registrar of the Court pursuant to this Act; and the Court shall have Power, by

Option to Masters Examiners to accept it according to Seniority.

General Orders, to regulate the Distribution of Business among the Officers of the said Masters, and to attach any Officer at present attached to any Master in Ordinary, whose Office is by this Act abolished, to any other Master, and in all respects to prescribe and regulate the Duties of such Officers; and in case all the Masters Examiners shall neglect or decline to avail themselves of the said Option, it shall be lawful for the Lord Chancellor to appoint the Chief Clerk or One of the other Clerks in the Registrar's Office, or some fit or proper Person, having such Qualification as is hereinbefore prescribed in respect of Persons to be appointed Chief Clerks of the Master of the Rolls and the Vice-Chancellor, to fill the Office of Assistant Registrar of the said Court pursuant to this Act: Provided always, that nothing herein contained shall be deemed to affect the Right of Succession of the Officers in the Registrar's Office, as now established, to any Office existing previous to the passing of this Act, and that from Time to Time when any Vacancy shall occur in the said Office of Assistant Registrar there shall be the like Right of Succession thereto in said Officers as there now is to such existing Offices.

Assistant Registrar.

42. If any Person who shall be first appointed to the Office of Assistant Registrar under this Act shall be an Officer of the Court of Chancery of not less than Fourteen Years Service, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that he shall, from his said Appointment, be paid the full Salary of One thousand Pounds a Year.

The Master's Registrars and Assistant Clerks to be Three of the Junior Clerks, and to hold during good Behaviour.

43. The Master of the Rolls and the Vice-Chancellor shall appoint as their First Junior Clerks Four of the Persons who, at the Time of the passing of this Act, are Assistant Clerks and Registrars to the Masters whose Offices are by this Act abolished, if willing to accept the same, and in case Four of the said Assistant Clerks and Registrars shall not accept such Junior Clerkships, then the same shall be tendered to the said Assistant Clerks and Registrars in the Order of their Seniority in Office, and any Assistant Clerk or Registrar who thereupon shall refuse to accept said Office shall, notwithstanding anything herein-before contained, forfeit his Right to receive any retiring Allowance under "The Court of Chancery (*Ireland*) Regulation Act, 1850:" Provided always, that every Assistant Clerk and Registrar so becoming a Junior Clerk shall hold his Office by the same Tenure as at present so long as he shall personally attend to the Duties of his Office, but shall be removable by the Lord Chancellor, with the Concurrence of the Judge to whose Court he shall be attached, without stating any Cause for such Removal.

44. Upon

Power to the Lord Chancellor to make temporary Provision for Offices vacated.

44. Upon the Office of Examiner, Assistant Clerk, or Registrar becoming vacant, it shall be lawful for the Lord Chancellor, with the Assent of the Lords Commissioners of Her Majesty's Treasury, to make temporary Provision for the Discharge of the Duties of the Office so vacated, by employing some other Officer or Clerk of the Court of Chancery other than those attached to the Office of the Receiver Master, or, in case there shall be no such Officer or Clerk available for such Employment, by appointing some fit Person to fill such Office, until the Master in whose Office such Vacancy shall occur shall be removed by Resignation, Death, or otherwise, or shall have been released from his Duties under this Act; and every Person so to be employed by the Lord Chancellor shall, so long as he shall be employed, receive such Remuneration as the Lord Chancellor and Lords Commissioners of Her Majesty's Treasury shall fix, and shall be liable to perform the like Duties, and shall be subject to the same Obligations, Prohibitions, and Penalties, as the Officer in whose Place he shall be employed.

Assistant Registrar, Chief and Junior Clerks, to get Superannuations.

45. Every existing Officer of the Court of Chancery who shall be appointed Assistant Registrar or Chief Clerk pursuant to this Act shall be entitled to the like retiring or Superannuation Allowances and upon the same Conditions as are provided for Officers by the Thirty-eighth Section of "The Court of Chancery (*Ireland*) Regulation Act, 1850," and every Assistant Clerk or Registrar who shall be appointed a Junior Clerk pursuant to this Act shall be entitled to the like Superannuation Allowance and upon the same Conditions as are provided by the Thirty-ninth Section of "The Court of Chancery (*Ireland*) Regulation Act, 1850:" Provided always, that the Period during which any such Person shall have served in the said prior Office or Employment shall be taken into account and allowed in estimating the Period at which he shall be entitled to retire from the Office of Assistant Registrar, Chief Clerk, and Junior Clerk pursuant to this Act, and the Amount of the Superannuation Allowance to which he shall be entitled; and every Assistant Registrar, Chief Clerk, and Junior Clerk, and other Person appointed under the Provisions of this Act other than those for whom Provision is herein-before in this Clause made, shall be deemed a Civil Servant of Her Majesty, and shall be entitled to such Superannuation Allowance on Retirement on the same Terms, and subject to the same Conditions, as are provided for Persons in the permanent Civil Service of the State by "The Superannuation Act, 1859."

On Appointment of Masters or Examiners

46. If at any Time hereafter any of the Masters in Ordinary of the said Court whose Office is hereby abolished, or any of their Examiners,

to Office, &c., the retiring Pension under this Act to be regulated by the Salary, &c. of such Office.

Examiners, Assistant Clerks, or Registrars, shall be appointed to and shall accept any Office or Employment under this Act, or connected with any Court of Law or Equity, or under the Crown, or in any Public Department under the Crown, and if the Salary attached to such Office or Employment, or any retiring Pension or Allowance in respect thereof, shall equal or exceed in Amount the retiring Pension or Compensation payable to such Master, Examiner, Assistant Clerk, or Registrar under this Act, such last-mentioned retiring Pension or Compensation shall during the Continuance of such Master, or such Examiner, Assistant Clerk, or Registrar, in such Office or Employment, or so long as he shall be in the Receipt of any retiring Pension or Allowance in respect thereof equal to or greater than his retiring Pension or Compensation under this Act, cease to be payable to such Master, or such Examiner, Assistant Clerk, or Registrar, as the Case may be; and if the Salary attached to such Office, or the retiring Pension or Allowance in respect thereof, shall be less than the Amount of such Master's retiring Pension, or the Compensation payable under this Act to such Examiner, Assistant Clerk, or Registrar, such Salary, retiring Pension, or Compensation under this Act shall be reduced by the Amount of such Salary or of such retiring Pension or Allowance, as the Case may be.

Appropriation of Masters Offices.

47. Such of the Masters Offices as shall not be assigned by the Lord Chancellor as Chambers for the Masters of the Rolls and Vice-Chancellors respectively, under the Provisions herein-after contained, shall be appropriated to such other Purposes connected with the Court of Chancery as the Lord Chancellor may from Time to Time direct.

Rights and Establishments of the present Masters to continue till released.

48. Nothing herein contained shall prejudice or affect the Title of the present Masters in Ordinary of the said Court whose Offices are hereby abolished to the Salaries payable to them as such Masters unless and until they shall be respectively released under this Act, or the Power of Her Majesty to order a retiring Allowance to any of them who may be or become afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same, or the Power of the Lord Chancellor to order a retiring Allowance to any of their Examiners and Clerks in the like event; and, subject to the Provisions herein contained, every of the said Masters in Ordinary of the Court, until released under this Act, shall have the same Establishment of Officers whose Salaries and Compensation shall be payable out of the same Funds as the Salaries and Compensations of such Officers are now payable, and all the Expenses attending

attending the Establishment of the Masters Offices shall be paid in like Manner as such Expenses are now paid.

Office of Receiver Master preserved.

49. The Office of Receiver Master shall be maintained for the Discharge of the Duties herein specified, and *Gerald Fitzgibbon* Esquire, the present Receiver Master of the said Court, shall be the Receiver Master of the said Court pursuant to this Act, and the said *Gerald Fitzgibbon* and his Successors in the said Office shall discharge the Duties herein-after specified: Provided always, that nothing in this Act contained shall be held to repeal or affect the Provisions of any Act or Acts, or any Law or Usage, relating to the Appointment, Salary, and retiring Annuities of the said Receiver Master or his Successors in Office, or the Provisions of any Act or Acts relating to the Master's Examiner or Assistant Clerk, or the Establishment or Office of the said Master or his Successors in Office.

Powers of Receiver Master.

50. The said Receiver Master and his Successors in Office shall, subject to any General Orders, continue to have, exercise, and perform all such Authorities, Powers, and Duties as shall upon the said First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven be possessed, exercised, and performed by him, or any other Master in Ordinary of the said Court, with reference to Receivers, Receivers Accounts, and the Management of Estates under Receivers, and all other Matters relating to Receivers, and also all such and such other Authorities, Powers, and Duties as shall on the said First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven be possessed, exercised, and performed by, or shall be or have been imposed or conferred on him, or on any other Master, with respect to the auditing or keeping of any Accounts, or with respect to Inquiries in Lunacy Matters, or the Discharge of any other Duties in relation thereto respectively: Provided always, that nothing in this Act contained shall affect the Power of the said Receiver Master in relation to the winding up of any Suits which on the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven may be pending in his Office.

References to Receiver Master.

51. It shall be lawful for the Lord Chancellor, the Master of the Rolls, the Vice-Chancellor, the Court of Appeal in Chancery, and the Masters to make such References to the said Receiver Master under this Act, and his Successors in Office, in relation to Receivers and the auditing of Accounts, and the Management and letting of Estates, as the Court shall by any General Orders direct, anything in this Act to the contrary notwithstanding.

PART III.

Procedure and Practice.

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Procedure and Practice.

Repeal of existing Acts and Portions of Acts.

52. From and after the Time appointed for the Commencement of this Part of this Act, the Acts and Parts of Acts mentioned in Schedule (A.) to this present Act shall be and the same are hereby repealed, except in so far as may be necessary for the Purpose of supporting, continuing, or prosecuting any Suit or Proceeding begun before the Time appointed for the Commencement of this Act.

Practice of engrossing Bills on Parchment to be discontinued, and printed Bills to be filed instead.

53. From and after the Time appointed for the Commencement of this Part of this Act, the Practice of engrossing on Parchment Bills of Complaint and of filing such Engrossments shall be discontinued; and the Deputy Keeper of the Rolls shall receive and file a printed Bill of Complaint in lieu of an Engrossment thereof, in the same Manner as he now receives such Engrossment.

Writs of Subpœna to be abolished.

54. The Writ of Subpœna to appear to and answer a Bill of Complaint in the said Court shall be abolished.

Defendant to be served with a printed Bill in lieu of a Writ of Subpœna.

55. In lieu of serving the Defendant to a Bill of Complaint in the said Court with a Writ of Subpœna to appear to and answer the same, the Defendant shall be served with a printed Bill of Complaint, with an Endorsement thereon, in the Form or to the Effect set out in the Schedule (B.) to this Act, with such Variations as Circumstances may require, such printed Bill of Complaint so to be served being previously stamped with a proper Stamp by the Deputy Keeper of the Rolls in *Ireland*, indicating the filing of such Bill of Complaint, and the Date of the filing thereof.

The filing and Service of a printed Bill to have the same Effect as the filing and issuing of a Writ of Subpœna.

56. The filing of a printed Bill of Complaint in the said Court shall have the same Effect as the filing of a Bill of Complaint in the same Court and the issuing of a Subpœna thereon respectively now have, and the Service upon the Defendant of a printed Bill of Complaint so filed, with such Endorsement thereon, so stamped as aforesaid, shall have the same Effect as the Service on him of a Writ of Subpœna now has, and shall entitle the Plaintiff in such Suit to such Remedies for Default of Appearance and otherwise as he is now entitled to in case of due and proper Service of a Subpœna to appear to and answer a Bill of Complaint.

Service of printed Bill.

57. The Service upon any Defendant of a printed Copy of a Bill of Complaint in the said Court shall be effected in the same Manner as Service of a Writ of Subpœna to appear to and answer a Bill of Complaint is now effected, save only that it shall not be necessary to

to produce the original Bill, which will be on the Files of the Court; provided that the Court shall be at liberty to direct substituted Service of such printed Bill in such Manner and in such Cases as it shall think fit.

Written Copies of Bill may be served, in certain Cases.

58. Notwithstanding the Provisions herein-before contained, the Deputy Keeper of the Rolls in *Ireland* may receive and file a written Copy of any Bill of Complaint, praying a Writ of Injunction or a Writ of Ne exeat regno, upon the personal Undertaking of the Plaintiff or his Solicitor to file a printed Copy of such Bill within Fourteen Days, and every Bill of Complaint so filed shall be deemed and taken to have been filed at the Time of filing the written Copy thereof; and a written Copy of any such Bill of Complaint, stamped as aforesaid, and with such Endorsement thereon as aforesaid, may be served on any Defendant thereto, and such Service shall have the same Effect as the Service of a printed Copy.

Plaintiff to deliver printed Copies of Bill at Rate prescribed by General Order.

59. The Plaintiff in any Suit to be commenced by Bill in the said Court after the Time appointed for the Commencement of this Act shall be bound to deliver to the Defendant or his Solicitor, upon Application for the same, such a Number of printed Copies of his Bill of Complaint, upon being paid for the same at such Rate as shall be prescribed by any General Order of the Court.

Provisions as to filing, &c. Prints of original Bill extended to Amendments.

In certain Cases a printed Bill may be wholly or partially amended.

60. Upon the Amendment of any Bill of Complaint to be filed in the said Court after the Time appointed for the Commencement of this Act, the Provisions herein-before contained with respect to filing and serving and delivering printed Copies thereof shall, so far as may be, extend and be applicable to the Bill as amended; provided that where, according to the present Practice of the said Court in relation to Suits commenced by Bill, an Amendment of a Bill may be made without a new Engrossment thereof, or under such other Circumstances as shall be prescribed by any General Order of the Court, a Bill may be wholly or partially amended by written Alterations in the printed Bill of Complaint so to be filed as aforesaid.

Bills of Complaint to contain concise Narratives of material Facts, &c. divided into numbered Paragraphs, but

61. Every Bill of Complaint to be filed in the said Court after the Time appointed for the Commencement of this Act shall contain, as concisely as may be, a Narrative of the material Facts, Matters, and Circumstances upon which the Plaintiff relies, such Narrative being divided into Paragraphs numbered consecutively, and each Paragraph containing, as nearly as may be, a separate and distinct Statement or Allegation, and shall pray specifically

not to contain Interrogatories.

cifically for the Relief which the Plaintiff may conceive himself entitled to, and also for general Relief; but such Bill of Complaint shall not contain any Interrogatories for the Examination of the Defendant.

Next Friend of Infant, &c. in Suit, &c. to sign a written Authority.

62. Before the Name of any Person shall be used in any Suit in the said Court commenced by Bill as next Friend of any Infant, married Woman, or other Party, or as Relator in any Information, such Person shall sign a written Authority to the Solicitor for that Purpose, and such Authority shall be filed with the Bill or Information.

Interrogatories to be filed in the Office of the Deputy Keeper of the Rolls by the Plaintiff within Time prescribed.

63. Within a Time to be limited by a General Order of the Court in that Behalf, the Plaintiff in any Suit in the said Court commenced by Bill may, if he requires an Answer from any Defendant thereto, file in the Office of the Deputy Keeper of the Rolls in *Ireland* Interrogatories for the Examination of the Defendant or Defendants, or such of them from whom he shall require an Answer, and deliver to the Defendant or Defendants so required to answer, or to his or their Solicitor, a Copy of such Interrogatories, or of such of them as shall be applicable to the particular Defendant or Defendants; and no Defendant shall be called upon or required to put in any Answer to a Bill unless Interrogatories shall have been so filed, and a Copy thereof delivered to him or his Solicitor, within the Time so to be limited, or within such further Time as the Court shall think fit to direct.

Defendant may answer without Leave within Time fixed by a General Order, but after that Time must have Leave.

64. Whether the Plaintiff in any Suit in the said Court commenced by Bill does or does not require any Answer from the Defendant or any One or more of the Defendants to the Bill, such Defendant or Defendants may, without any Leave of the Court, put in an Answer or Demurrer to the Plaintiff's Bill within such Time as shall be fixed by any General Order of the Court in that Behalf; but after that Time a Defendant or Defendants not required to answer the Plaintiff's Bill shall not be at liberty to put in an Answer or Demurrer to the Bill without Leave of the Court; provided that the Power of the Court to grant further Time for answering or demurring to any Bill, upon the Application of any Defendant or Defendants thereto, whether required to answer the Bill or not, shall remain in full Force, and shall not be in anywise prejudiced or affected; provided also, that if the Court shall grant any further Time to any Defendant for answering or demurring to the Bill, the Plaintiff's Right to move for a Decree under the Provisions hereinafter contained shall in the meantime be suspended.

65. The

65. The Answer of the Defendant to any Bill of Complaint in the said Court may contain, not only the Answer of the Defendant to the Interrogatories so filed as aforesaid, but such Statements material to the Case as the Defendant may think it necessary or advisable to set forth therein, and such Answer shall also be divided into Paragraphs numbered consecutively, each Paragraph containing as nearly as may be a separate and distinct Statement or Allegation.

Defendant's Answer may contain not only Answer to Interrogatories, but Statements material to his Case.

66. It shall not be competent to any Defendant in any Suit commenced by Bill in the said Court to take any Objection for Want of Parties to such Suit in any Case to which the Rules next herein-after set forth extend; and such Rules shall be deemed and taken as Part of the Law and Practice of the said Court, and any Law or Practice of the said Court inconsistent therewith shall be and is hereby abrogated and annulled.

Defendant not to take Objection for Want of Parties in any Case to which Rules herein set forth shall extend.

Rule 1. Any Residuary Legatee or Next of Kin may, without serving the remaining Residuary Legatees or Next of Kin, have a Decree for the Administration of the Personal Estate of a deceased Person.

Rule 2. Any Legatee interested in a Legacy charged upon Real Estate, and any Person interested in the Proceeds of Real Estate directed to be sold, may, without serving any other Legatee or Person interested in the Proceeds of the Estate, have a Decree for the Administration of the Estate of a deceased Person.

Rule 3. Any Residuary Devisee or Heir may, without serving any Co-residuary Devisee or Co-heir, have the like Decree.

Rule 4. Any One of several Cestuis que Trust under any Deed or Instrument may, without serving any other of such Cestuis que Trust, have a Decree for the Execution of the Trusts of the Deed or Instrument.

Rule 5. In all Cases of Suits for the Protection of Property pending Litigation, and in all Cases in the Nature of Waste, One Person may sue on behalf of himself and of all Persons having the same Interest.

Rule 6. Any Executor, Administrator, or Trustee may obtain a Decree against any One Legatee, Next of Kin, or Cestui que Trust for the Administration of the Estate, or the Execution of the Trusts.

Rule 7. Any Mortgagee or other Incumbrancer on Land may have a Decree for a Foreclosure and Sale, or a Sale of the mortgaged Lands, without serving any other Mortgagee or Incumbrancer, or a Trustee for such Mortgagee or Incumbrancer, unless such Mortgagee, Incumbrancer, or Trustee is

in the actual Possession or Receipt of the Rents and Profits of the mortgaged or incumbered Lands: Provided always, that a Person at whose Suit or for whose Benefit a Receiver or Sequestrator has been appointed or extended, or continues to receive the Rents and Profits of the Lands, shall not be deemed to be in Receipt of such Rents and Profits within the Meaning of this Rule.

Rule 8. In all the above Cases the Court, if it shall think fit, may require any other Person or Persons to be made a Party or Parties to the Suit, and may, if it shall see fit, give the Conduct of the Suit to such Person as it may deem proper, and may make such Order in any particular Case as it may deem just for placing the Defendant on the Record on the same Footing in regard to Costs as other Parties having a common Interest with him in the Matters in question.

Rule 9. In all the above Cases the Persons who, according to the Practice of the Court (previous to the passing of the Court of Chancery (*Ireland*) Regulation Act, 1850), would have been necessary Parties to the Suit, shall be served with Notice of the Decree, and after such Notice they shall, unless Cause be shown to the contrary, within a Time to be limited by a General Order of the Court, be bound by the Proceedings in the same Manner as if they had been originally made Parties to the Suit, and they may by an Order of course have Liberty to attend the Proceedings under the Decree; and any Party so served may, within such Time as shall in that Behalf be prescribed by the General Order of the Court, apply to the Court to add to or vary the Decree.

Rule 10. In all Suits concerning Real or Personal Estate which is vested in Trustees under a Will, Settlement, or otherwise, such Trustees shall represent the Persons beneficially interested under the Trust, in the same Manner and to the same Extent as the Executors or Administrators in Suits concerning Personal Estate represent the Persons beneficially interested in such Personal Estate; and in such Cases it shall not be necessary to make the Persons beneficially interested under the Trusts Parties to the Suit; but the Court may, upon Consideration of the Matter, on the Hearing, if it shall so think fit, order such Persons or any of them to be made Parties.

Practice of setting down a Cause on Objection for Want of Parties abolished.

67. The Practice of the said Court of setting down a Cause merely on an Objection for Want of Parties to the Suit shall be abolished.

68. The

Plaintiff may, on Expiration of Time for answering, but before Replication, move for a Decree or Decretal Order. Affidavits may be filed.

68. The Plaintiff in any Suit commenced by Bill shall be at liberty, at any Time after the Time allowed to the Defendant for answering the same shall have expired (but before Replication), to move the Court, upon such Notice as shall in that Behalf be prescribed by any General Order of the Court, for such Decree or Decretal Order as he may think himself entitled to; and the Plaintiff and Defendant respectively shall be at liberty to file Affidavits in support of and in opposition to the Motion so to be made, and to use the same on the Hearing of such Motion; and if such Motion shall be made after an Answer filed in the Cause the Answer shall for the Purposes of the Motion be treated as an Affidavit.

Court may refuse such Motion, or make Order for further Prosecution, &c.

69. Upon any such Motion for a Decree or Decretal Order it shall be discretionary with the Court to grant or refuse the Motion, or to make an Order giving such Directions for or with respect to the further Prosecution of the Suit as the Circumstances of the Case may require, and to make such Order as to Costs as it may think right.

Practice of excepting to Bills, Answers, &c. for Impertinence abolished.

Proviso as to Costs.

70. All Exceptions for Insufficiency, and all Objections for Prolixity or Scandal, which according to the existing Practice of the Court in Suits commenced by Bill are determined by the Master of the Court, shall be heard and determined by the Court itself, and the Practice of objecting to Bills, Answers, and other Proceedings in the said Court for Impertinence shall be and the same is hereby abolished: Provided always, that it shall be lawful for the Court to direct the Costs occasioned by any impertinent Matter introduced into any Proceeding in the said Court to be paid by the Party introducing the same, upon Application being made to the Court for that Purpose.

Court may order Defendant to produce Documents, &c. on Oath.

71. It shall be lawful for the Court, upon the Application of the Plaintiff in any Suit commenced by Bill, whether the Defendant may or may not have been required to answer the Bill, or may or may not have been interrogated as to the Possession of Documents, to make an Order for the Production by any Defendant upon Oath of such of the Documents in his Possession or Power relating to Matters in question in the Suit as the Court shall think right; and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

In certain Cases Defendant, after Answer, may

72. It shall be lawful for any Defendant in any Suit commenced by Bill (but as to Suits in which the Defendant is required to answer not until after the Defendant shall have put in a sufficient Answer

file Interrogatories for Examination of Plaintiff.

Answer to the Bill), and without filing any Cross Bill of Discovery, to file in the Office of the Deputy Keeper of the Rolls in *Ireland* Interrogatories for the Examination of the Plaintiff, to which shall be prefixed a concise Statement of the Subjects on which a Discovery is sought, and to deliver a Copy of such Interrogatories to the Plaintiff or his Solicitor; and such Plaintiff shall be bound to answer such Interrogatories, in like Manner as if the same had been contained in a Bill of Discovery filed by the Defendant against him on the Day when such Interrogatories shall have been filed, and as if the Defendant to such Bill of Discovery had on the same Day duly appeared; and the Practice of the Court with reference to excepting to Answers for Insufficiency or Objections for Scandal shall extend and be applicable to Answers put in to such Interrogatories: Provided always, that in determining the Materiality or Relevancy of any such Answer, or of any Exception or Objection thereto, the Court is to have Regard to the Statements contained in the original Bill, and in the Answer which may have been put in thereto by the Defendant exhibiting such Interrogatories for the Examination of the Plaintiff: Provided also, that a Defendant, if he shall think fit so to do, may exhibit a Cross Bill of Discovery against the Plaintiff, instead of filing Interrogatories for his Examination.

Defendant may exhibit a Cross Bill instead of filing Interrogatories.

Upon Application of Defendant, after Answer, Plaintiff may be required to produce Documents on Oath.

73. It shall be lawful for the Court, upon the Application of any Defendant in any Suit commenced by Bill, but as to Suits in which the Defendant is required to answer the Plaintiff's Bill not until after he has put in a full and sufficient Answer to the Bill, unless the Court shall make any Order to the contrary, to make an Order for the Production by the Plaintiff in such Suit, on Oath, of such of the Documents in his Possession or Power relating to the Matters in question in the Suit as the Court shall think right; and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

Practice of issuing Commissions to take Answers, &c. within the Jurisdiction of the Court abolished.

74. The Practice of the said Court of issuing Commissions to take Answers, Disclaimers, and Examinations in Causes and Matters pending in the said Court shall, with respect to Answers, Disclaimers, and Examinations taken within the Jurisdiction of the Court, be and the same is hereby abolished; and any such Answer, Disclaimer, or Examination may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit.

Masters Extraordinary to cease to be so styled,

75. The Persons now styled Masters Extraordinary in Chancery shall cease to be so styled, and they, and all Persons hereafter appointed by the Lord Chancellor to execute the like Duties in *Ireland*,

Ireland, shall be designated "Commissioners to administer Oaths in Chancery in *Ireland*," and shall possess and exercise all such Powers and discharge all such Duties as now appertain to the Office of Master Extraordinary in Chancery by virtue of any Statute or Order of the Court of Chancery or of the Lord Chancellor, or Usage in that Behalf, or otherwise. and to be designated Commissioners.

76. It shall be lawful for the Lord Chancellor from Time to Time to appoint any Persons practising as Solicitors within Ten Miles from the Four Courts, *Dublin*, to administer Oaths and take Affidavits in Chancery, and to possess all such other Powers and discharge all such other Duties as aforesaid; and such Persons shall be styled "*Dublin* Commissioners to administer Oaths in Chancery," and they shall be entitled to charge and take a Fee of One Shilling and Sixpence for every Oath administered and for every Affidavit taken by them, subject to any General Order of the Court varying or annulling the same. Power to appoint Solicitors residing within Ten Miles of Dublin as Commissioners to take Oaths.

77. From and after the Time appointed for the Commencement of this Act it shall and may be lawful for the Clerk of Affidavits and Clerk of Recognizances in Chancery for the Time being, and they are hereby authorized and required, to administer Oaths and take Affidavits in Chancery: Provided always, that such Clerks shall not be required, except under a special Order of the Court, to go out of their respective Offices to administer the said Oaths or take the said Affidavits, and that when any such Clerk shall be required by any Order of the Court to attend out of his said Office for the Purposes aforesaid, the Charge for every such Attendance, together with the Rate of his Travelling Expenses, if any, shall be expressed in such Order of the Court; and that it shall and may be lawful for such Clerk to receive such Sum for his Attendance, and also such Rate of Travelling Expenses, as shall be expressed in such Order of the Court, and no other or greater Sum. Clerk of Affidavits and Clerk of Recognizances may administer Oaths and take Affirmations.

78. It shall be lawful for the Lord Chancellor from Time to Time to appoint any Persons practising as Solicitors in the *Isle of Man* and in the *Channel Islands*, or any of them, to administer Oaths and take Affidavits, and to possess all such other Powers and discharge all such other Duties as aforesaid, and such Persons shall be styled "Commissioners to administer Oaths in Chancery," with the Addition of the Words "for the *Isle of Man*," or "for the *Channel Islands*," as the Case may be, and they shall be entitled to charge and take the same Fees as the said Commissioners to administer Oaths in Chancery. Commissioners may be appointed to administer Oaths for the Isle of Man and the Channel Islands.

79. The

Court of Chancery (Ireland).

Commissioners Appointment to bear a Chancery Stamp of 1*l.* in lieu of other Charges.

79. The Fiat or Document by which any such Commissioners as aforesaid shall be appointed shall bear a Chancery Fund Stamp of One Pound, but no other Charge or Fee shall be made or be payable in respect of such Appointment, or of anything requisite to be done in order to perfect the same; and it shall not be necessary that any such Appointment should be published in the *Dublin Gazette*.

Nothing to lessen the Power of the Lord Chancellor. References to Masters Extraordinary in Acts to apply to Commissioners.

80. Nothing herein contained shall abridge or lessen the Power of the Lord Chancellor, as it now exists, to appoint fit Persons to administer Oaths, and take Affidavits in Chancery, or to regulate the Fees to be taken by them, and where any Act of Parliament refers to the Masters Extraordinary in Chancery, or to their Powers or Duties, the Reference shall be held to apply to and include the Commissioners herein-before mentioned, or to their Powers or Duties, as the Case may be: Provided that Solicitors and Attornies of not less than Five Years Standing shall be preferred for such Appointments if otherwise suited thereto.

Answers, Affidavits, &c. in Chancery, how to be sworn and taken in England, Scotland, the Channel Islands, &c.

81. All Answers, Disclaimers, Examinations, and Affidavits in Causes or Matters depending in the High Court of Chancery in *Ireland*, and also Acknowledgments required for the Purpose of enrolling any Deed in the said Court, shall and may be sworn and taken in *England* or *Scotland*, or the *Isle of Man*, or the *Channel Islands*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and the Judges and other Officers of the said Court of Chancery shall take Judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, Person, Consul, or Vice-Consul attached, appended, or subscribed to any such Answers, Disclaimers, Examinations, and Affidavits, Acknowledgments, or other Documents to be used in the said Court.

Penalty for falsely swearing, &c.

82. All Persons swearing before any Person authorized by this Act to administer Oaths and take Affidavits shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing contained therein as if the Matter sworn had been sworn before any Court or Person now by Law authorized to administer Oaths and take Declarations, Affirmations, or Attestations upon Honour.

83. If

Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.

83. If any Person shall forge the Signature or the Official Seal of any such Judge, Court, Notary Public, Consul or Vice-Consul, or other Person lawfully authorized to administer Oaths under this Act, or shall tender in Evidence any Answer, Disclaimer, Examination, Affidavit, or other Judicial or Official Document with a false or counterfeit Signature or Seal of any such Judge, Court, Notary Public, Consul or Vice-Consul, or other Person authorized as aforesaid, attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Admission in Evidence of certain Official and other Documents.*

Answers to be filed without Oath of Messenger.

84. Answers, Disclaimers, Examinations, and Affidavits, whether taken by Commission out of the Jurisdiction of the said Court or otherwise, may be filed without the Oath of a Messenger, and any Alterations made thereon previously to the taking thereof shall be authenticated according to the Practice now in use with respect to Affidavits.

Issue may be joined by filing Replication.

85. In Suits in the said Court commenced by Bill, where Notice of Motion for a Decree or Decretal Order shall not have been given, or, having been given, where a Decree or Decretal Order shall not have been made thereon, Issue shall be joined by filing a Replication in the Form given in Schedule (B.) to this Act, or in such other Form as shall be prescribed by a General Order of the Court; and where a Defendant shall not have been required to answer and shall not have answered the Plaintiff's Bill, he shall be considered to have traversed the Case made by the Bill.

Defendant not having been required to answer and not answering may move for Dismissal of Bill for Want of Prosecution.

86. Where a Defendant to a Suit in the said Court commenced by Bill shall not have been required to answer the Bill, and shall not have answered the same, such Defendant shall be at liberty to move to dismiss the Bill for Want of Prosecution at such Times, and under such Circumstances, and subject to such Restrictions as shall be in that Behalf prescribed by any General Order of the Court.

Practice of Court as to Mode of examining Witnesses abolished. Court may order particular Wit-

87. The Mode of examining Witnesses in Suits in the said Court commenced by Bill, and all the Practice of the said Court in relation thereto, so far as such Practice shall be inconsistent with the Mode herein-after prescribed of examining such Witnesses, and the Practice in relation thereto, shall, from and after the Time appointed for the Commencement of this Act, be abolished: Provided always, that

nesses to be examined upon Interrogatories.

that the Court may, in any Suit commenced by Bill, if it shall think fit, order any particular Witness or Witnesses within the Jurisdiction of the said Court, or any Witness or Witnesses out of the Jurisdiction of the said Court, to be examined upon Interrogatories in the Mode now practised in the said Court in such Suits; and that with respect to such Witness or Witnesses the Practice of the said Court in such Suits in relation to the Examination of Witnesses shall continue in full Force, save only as far as the same may be varied by any General Order of the Court in that Behalf, or by any Order of the Court with reference to any particular Case.

Judge may, upon Application, order that the Evidence as to certain Facts or Issues shall be taken vivâ voce at the Hearing.

88. When any Cause commenced by Bill shall be at issue, the Plaintiff or any Defendant may, within such Time as shall be fixed by a General Order of the Court, apply by Summons, to be served upon the opposite Party, for an Order that the Evidence in Chief as to any Facts or Issues, such Facts or Issues to be distinctly and concisely stated in the Summons, may be taken *vivâ voce* at the Hearing of the Cause; and that the Judge may make an Order that the Evidence in Chief as to such Facts and Issues, or any of them, shall be taken *vivâ voce* at the Hearing accordingly; and the Facts and Issues as to which any such Order shall direct that the Evidence in Chief shall be taken *vivâ voce* at the Hearing shall be distinctly specified in such Order; but in case the Judge shall be satisfied that such Application is unreasonable, or made for the Purpose of Delay, Oppression, or Vexation, he may refuse to make any such Order; and where any such Order shall have been made the Examination in Chief as well as the Cross-examination and Re-examination shall be taken before the Court at the Hearing as to the Facts and Issues specified in such Order.

Evidence as to Facts not included in such Order as in last Section to be taken by Affidavit or Examination before the Examiner.

89. No Affidavit nor any Evidence taken before an Examiner shall be admissible at the Hearing of any such Cause as mentioned in the last preceding Section in respect of any Fact or Issue which shall be included in any Order directing Evidence in Chief to be taken *vivâ voce* at the Hearing, but, except as to the Facts or Issues included in such Order, each Party in a Cause in which Issue is joined shall be at liberty to verify his Case, either wholly or partially by Affidavit, or wholly or partially by the oral Examination of Witnesses *ex parte* before the Examiner of the Court, or an Examiner to be specially appointed by the Court or Judge.

Any Party in a Cause may by Subpœna require

90. Each Party shall be at liberty to sue out of the Office of the Clerk of Appearances and Writs Writs of Subpœna ad testificandum and Duces tecum to compel the Attendance at the Hearing of Witnesses

Witnesses whom he may desire to produce on any Issue or Matter of Fact included in such Order as is mentioned in the Eighty-ninth Section of this Act.

Attendance of any Witness at the Hearing.

91. Any Party in any Suit depending in the Court shall be at liberty to sue out a Writ of Subpœna ad testificandum or Duces tecum to compel the Attendance of any Witness before an Examiner of the said Court, or before an Examiner specially appointed as aforesaid, and examine such Witness orally for the Purpose of using his Evidence upon any Motion, Petition, or other Proceeding before the Court; and every such Witness shall be bound to attend for Examination and shall be examined in like Manner as he would be bound to attend and be examined with a view to the Hearing of a Cause in which Issue is joined.

Any Party in a Suit may by Subpœna require Attendance of any Witness before an Examiner.

92. Except as herein-after provided, all Examinations taken by the Examiners of the Court, or by any special Examiner, for the Purpose of being used at the Hearing of a Cause in which Issue is joined, shall be taken *ex parte*, the Examiner being furnished by the Plaintiff with a Copy of the Bill and Answer, if any, in the Cause; and no Person shall have a Right to be present at the taking of such Examination except the Party producing the Witness, his Counsel, Solicitor, and Agents; and every Deposition taken upon such Examination shall be deemed to be an Affidavit; and the Examiner, before transmitting the same to the Office of the Clerk of Affidavits, to be filed as herein-after provided, shall mark the same as taken *ex parte*.

Examination before the Examiner to be ex parte.

93. Every Witness, whether a Party or not, who has made an Affidavit to be used at the Hearing of a Cause in which Issue is joined, or who has been examined *ex parte* before an Examiner with a view to such Hearing, and also every Person, whether a Party or not, who has made an Affidavit to be used upon any Motion, Petition, or other Proceeding before the said Court, shall be subject to oral Cross-examination by any opposite Party, either before the Court, or, in the Cases herein-after provided, before an Examiner, and after such Cross-examination may be re-examined orally by or on behalf of the Party by whom such Affidavit has been filed or Witness examined; and such Witness shall be bound to attend before the Court or such Examiner, to be so cross-examined and re-examined, upon being served with a Writ of Subpœna ad testificandum or Duces tecum; and the Party by whom or on whose Behalf such Affidavit shall have been filed or Witness examined shall be bound to produce such Deponent or Witness before the Court or Examiner, as the Case may be, to be so cross-examined and re-examined, upon

Witnesses by Affidavits or who have been examined ex parte before the Examiner may be cross-examined and re-examined.

And the Party filing their Affidavits or producing

 due

them bound to produce them for this Purpose.

due and proper Notice for that Purpose being served upon such Party or his Solicitor; and unless such Deponent or Witness be produced accordingly such Affidavit or Examination shall not be used as Evidence, unless by special Leave of the Court: Provided always, that the Party required to produce such Deponent or Witness shall be entitled to demand the reasonable Expenses of the said Deponent or Witness, in the first instance, if not already paid to such Deponent or Witness, from the Party requiring such Production, but such Expenses shall ultimately be borne as the Court shall direct: Provided also, that upon the Hearing of any Motion, Petition, or other Proceeding the Court shall always have a discretionary Power of acting upon such Evidence as may be before it, and of making such Interim Orders, or otherwise, as may appear necessary to meet the Justice of the Case.

In Causes in which Issue is joined Cross-examination to be before the Court at the Hearing.

94. Except as herein-after provided, no Cross-examination of any Deponent or Witness, or of any Party, to be used at the Hearing of a Cause in which Issue is joined, shall be taken otherwise than before the Court at the Hearing.

Parties may, by written Consent, agree that Examination, Cross-examination, and Re-examination of Witnesses shall take place before the Examiner.

95. If at any Time after Issue joined the Parties shall, by Writing signed by them or their respective Solicitors, and filed at the Office of the Deputy Keeper of the Rolls, agree that the oral Examination in Chief, Cross-examination, and Re-examination of any Witness or Witnesses (whether a Party or Parties or not), or the Cross-examination and Re-examination of any Person or Persons who shall have made an Affidavit or Affidavits, or who shall have been examined *ex parte* before an Examiner, shall be taken before the Examiner of the Court or a special Examiner, such Examination, Cross-examination, and Re-examination, or Cross-examination and Re-examination, may be taken accordingly, and shall be conducted in the Manner herein-after provided.

Power to the Court or Judge in certain Cases to direct Examination and Cross-examination to take place before the Examiner.

96. The Court or the Judge may direct that the oral Examination, Cross-examination, and Re-examination of any Witness (whether a Party or not), or the Cross-examination and Re-examination of any Person who has been examined *ex parte* before an Examiner or made an Affidavit, shall be taken before an Examiner of the Court or a special Examiner, in case it shall appear to the Court or Judge that, owing to the Age, Infirmity, or Absence out of the Jurisdiction of such Witness or Person, or for any other Cause which to the Judge shall appear sufficient, it is expedient that such Direction should be given.

97. In

Court of Chancery (Ireland).

In Cases provided for by the last Two Sections the Examination in Chief, Cross-examination,and Re-examination to take place before the same Examiner.

97. In all such Cases as are provided for in the last Two preceding Sections the Examination in Chief, Cross-examination, and Re-examination, or the Cross-examination and Re-examination, of any such Witness or Person as therein respectively mentioned, shall be taken before the same Examiner or special Examiner, or his Successor in Office; and the Cross-examination of every Witness or Person examined in chief shall immediately follow his Examination in Chief; and such Examination, Cross-examination, and Re-examination, or Cross-examination and Re-examination, as the Case may be, shall take place in the Presence of the Parties, their Counsel, Solicitors, or Agents, and shall be conducted as nearly as may be in the Mode now in use in Courts of Common Law with respect to a Witness about to go abroad, and not expected to be present at the Trial of a Cause.

How Evidence to be taken in Suits to perpetuate Testimony.

98. In Suits to perpetuate Testimony Evidence shall continue to be taken according to the now existing Practice in Cases of Bills filed to perpetuate Testimony.

Depositions to be taken down in Writing, and read over to the Witness, who shall sign the same, but if he refuse to sign Examiner may, and state any special Matter he may think fit.

99. The Depositions taken upon any such oral Examination, Cross-examination, and Re-examination as aforesaid before an Examiner shall be taken down in Writing by the Examiner, not ordinarily by Question and Answer, but in the Form of a Narrative, and in the First Person, and when completed shall be read over to the Witness, and signed by him: Provided always, that in case the Witness shall refuse to sign the said Depositions, then the Examiner shall sign the same, and such Examiner may, upon all Examinations, state any special Matter to the Court as he shall think fit; provided also, that it shall be in the Discretion of the Examiner to put down any particular Question or Answer, if there should appear any special Reason for doing so; and any Question or Questions which may be objected to shall be noticed or referred to by the Examiner in or upon the Depositions, and he shall state his Opinion thereon to the Counsel, Solicitors, or Parties, and shall refer to such Statement on the Face of the Depositions, but he shall not have Power to decide upon the Materiality or Relevancy of any Question or Questions; and the Court shall have Power to deal with the Costs of immaterial or irrelevant Depositions as may be just.

If Parties refuse to be sworn or to answer any lawful Questions, the same Course to be pursued as is now adopted.

100. If any Person produced as a Witness before any such Examiner shall refuse to be sworn or to answer any lawful Question put to him by the Examiner or by either of the Parties, or by his or their Counsel, Solicitor, or Agent, the same Course shall be adopted with respect to such Witness as is now pursued in the Case of a Witness produced for Examination before an Examiner of the Court

Proviso as to Witness demurring to Questions.

Court upon written Interrogatories, and refusing to be sworn or to answer some lawful Question: Provided always, that if any Witness shall demur or object to any Question or Questions which may be put to him, the Question or Questions so put, and the Demurrer or Objection of the Witness thereto, shall be taken down by the Examiner, and transmitted by him to the Office of the Clerk of Affidavits of the Court, to be there filed, and the Validity of such Demurrer or Objection shall be decided by the Court; and the Costs of and occasioned by such Demurrer or Objection shall be in the Discretion of the Court.

Re-examination of Witness to follow Cross-examination.

101. The Re-examination of a Witness shall in all Cases follow his Cross-examination, and shall not, except by Consent or special Order of the Court, be delayed to a future Time.

Original Depositions to be transmitted to the Office of the Clerk of Affidavits.

102. When the Examination or Cross-examination and Re-examination of Witnesses before any Examiner shall have been concluded, the original Depositions, authenticated by the Signature of such Examiner, shall be transmitted by him to the Office of the Clerk of Affidavits, to be there filed; and any Person may have a Copy thereof, or of any Part or Portion thereof, upon Payment for the same, at such Time and in such Manner as shall be provided by any General Order of the Court in that Behalf.

Commission for Examination of Witnesses dispensed with, and Examiner empowered to administer Oaths.

103. It shall not be necessary to sue out any Commission for the Examination of any Witnesses within the Jurisdiction of the Court; and any Examiner appointed by any Order of the Court shall have the like Power of administering Oaths as Commissioners now have under Commissions issued by the Court for the Examination of Witnesses.

Affidavits to be divided into Paragraphs numbered.

104. Every Affidavit to be used in the Court shall be taken in the First Person and be divided into Paragraphs, and every Paragraph shall be numbered consecutively, and as nearly as may be shall be confined to a distinct Portion of the Subject; and every Affidavit to be used at the Hearing of a Cause in which Issue is joined shall, unless the Court or Judge shall otherwise permit or direct, be prepared in the Form of Answers to Interrogatories directed to the Facts or Issues to be proved, and consecutively numbered and set out at the Head of such Affidavit, and the Answers thereto shall be in distinct Paragraphs numbered in corresponding Numbers; but all such Affidavits shall be prepared and sworn in all other respects as other Affidavits used in the Court.

105. Except

Closing Evidence, Cross-examination, and Re-examination.

105. Except as to Facts or Issues included in any such Order as mentioned in the Eighty-ninth Section of this Act, and except as to the Cross-examination and Re-examination of Witnesses at the Hearing, the Evidence at both Sides to be used at the Hearing of a Cause in which Issue is joined shall be closed within such Time as shall in that Behalf be prescribed by any General Order of the Court, but with Power to the Court to enlarge such Period as it may think fit; and after the Time fixed for closing the Evidence, no further Evidence, whether oral or by Affidavit, shall be receivable without special Leave of the Court previously obtained for that Purpose.

Court may require the Production and oral Examination before itself of any Witness, &c., and determine Payment of the Costs.

106. Upon the Hearing of any Cause commenced by Bill and depending in the Court, the Court, if it shall see fit so to do, may require the Production and oral Examination before itself of any Witness or Party in the Cause, and may direct the Costs of and attending the Production and Examination of such Witness or Party to be paid by such of the Parties to the Suit or in such Manner as it may think fit.

Evidence subsequent to Hearing to be taken as Court shall prescribe.

107. In Cases where it shall be necessary for any Party to any Cause depending in the Court to go into Evidence subsequently to the Hearing of such Cause, such Evidence shall be taken in such Manner as shall be prescribed in a General Order of the Court.

Power for Court, notwithstanding any Rule, &c. to the contrary, to receive Proof by Affidavit.

108. Notwithstanding any Rule or Practice to the contrary, it shall be lawful for the Court, at the Hearing of any Cause or at a Hearing for any further Directions therein, to receive Proof by Affidavit of all proper Parties being before the Court, and of all such Matters as are necessary to be proved for enabling the Court to order Payment of any Monies belonging to any married Woman, and of all such other Matters not directly in issue in the Cause as in the Opinion of the Court may safely and properly be so proved.

Deeds and Documents referred to in Pleadings to be produced on Hearings, Motions, and other Proceedings.

109. Where any Deed or Document, or any Record, or any Portion thereof respectively, shall be relied on in any Pleading, the said Deed or Document, or the Copy of such Record, shall be produced upon every Hearing, or Motion, or other Proceeding in the said Suit, unless its Non-production can be satisfactorily excused; and in default thereof it shall be lawful for the Court or Judge before whom such Hearing, Motion, or other Proceeding shall take place to exclude the Party so in default from all Benefit or Advantage of the said Deed, Document, or Record, and to make such Order for the Postponement of such Hearing, Motion, or other Proceeding, and the Payment of the Costs occasioned by such Postponement, as shall seem to be just; and in the event of such

Deed or Document, or the Copy of such Record, being produced, it shall be lawful for the Court or Judge to direct the same to be entered upon the Decree or Order of the Court to be made upon such Hearing, Motion, or other Proceeding, and to make such consequential Order in relation to Costs as to them or him shall seem fit.

Court may proceed in any Suit, &c. without Representative of deceased Person, or may appoint one.

110. If in any Suit before the Court it shall appear to the Court that any deceased Person who was interested in the Matters in question has no legal Representative, it shall be lawful for the Court either to proceed in the Absence of any Person representing the Estate of such deceased Person, or to appoint some Person to represent such Estate for all the Purposes of the Suit or other Proceeding, on such Notice to such Person or Persons, if any, as the Court shall think fit, either specially, or generally by public Advertisements; and the Order so made by the Court, and any Orders consequent thereon, shall bind the Estate of such deceased Person in the same Manner in every respect as if there had been a duly constituted legal personal Representative of such deceased Person, and such legal personal Representative had been a Party to the Suit or Proceeding, and had duly appeared and submitted his Rights and Interests to the Protection of the Court.

Power to Persons interested in Questions cognizable in Court of Chancery to state Special Cases for the Opinion of the Court.

111. It shall be lawful for Persons interested or claiming to be interested in any Question cognizable in the Court as to the Construction of any Act of Parliament, Will, Deed, or other Instrument in Writing, or any Article, Clause, Matter, or Thing therein contained, or as to the Title or Evidence of Title to any Real or Personal Estate contracted to be sold or otherwise dealt with, or as to the Parties to or the Form of any Deed or Instrument for carrying any such Contract into effect, or as to any other Matter falling within the original Jurisdiction of the Court as a Court of Equity, or made subject to the Jurisdiction or Authority of the Court by any Statute, not being One of the Statutes relating to Bankrupts, and including among such Persons all Lunatics, married Women, and Infants, in the Manner and under the Restrictions herein-after contained, to concur in stating such Question in the Form of a Special Case for the Opinion of the said Court, and it shall also be lawful for all Executors, Administrators, and Trustees to concur in such Case.

How Lunatic may concur.

112. The Committee of the Estate of any Lunatic interested or claiming to be interested in any such Question as aforesaid may, after having been authorized in that Behalf by the Lord Chancellor,

concur

concur in such Case in his own Name and in the Name and on the Behalf of the Lunatic.

How married Women may concur.

113. A Husband interested or claiming to be interested in right of his Wife in any such Question as aforesaid may concur in such Case in his own Name and in the Name of his Wife where the Wife has no Claim to any Interest distinct from her Husband, and a married Woman having or claiming any Interest in any such Question as aforesaid distinct from her Husband may in her own Right concur in such Case, provided that her Husband also concurs therein.

How Infant may concur.

114. The Guardian of any Infant interested or claiming to be interested in any such Question as aforesaid may concur in such Case in the Name and on the Behalf of the Infant, unless such Guardian has an Interest in such Question adverse to the Interest of the Infant therein.

How Special Guardian to be appointed for a Lunatic not found such by Commission and for Infant may concur.

115. It shall be lawful for the Court, by Order to be made in the Matter of any Lunatic not found such by Inquisition, or in the Matter of any Infant, upon the Application of any Person on the Behalf of such Lunatic, or upon the Application of such Infant, by Motion or Petition, to appoint any Person shown by Affidavit to be a fit Person, and to have no Interest adverse to the Interest of the Lunatic or Infant, to be the Special Guardian of such Lunatic or Infant for the Purpose of concurring in such Case in the Name and on behalf of the Lunatic or Infant, and any such Person so appointed may lawfully so concur: Provided always, that it shall be lawful for the Court to require Notice of such Application to be given to such Person, if any, as the Court shall think fit.

Order to appoint Special Guardian of an Infant may be discharged by Court, if made without Notice.

116. In any Case in which any such Order as aforesaid shall have been made by the Court in the Matter of any Infant without Notice to the Guardian of the Infant, it shall be lawful for the said Court, if it shall think fit so to do, to discharge such Order, upon the Application of such Guardian, by Motion or Petition; and the Court, if it shall think fit, may thereupon appoint some other fit Person to be the Special Guardian of such Infant for the Purpose of such Special Case, and may also give such Directions as may be necessary for substituting in such Special Case either the Name of the Guardian so applying, or of the Special Guardian so appointed, in lieu of the Name of the Special Guardian so displaced: Provided always, that the Discharge of any Order appointing a Special Guardian shall not invalidate anything which shall in the meantime

meantime have been done by such Special Guardian, unless the Court shall, upon Notice to all Parties, specially so direct.

How such Special Cases to be intituled.

117. Every such Special Case shall be intituled as a Cause between some or One of the Parties interested or claiming to be interested as Plaintiffs or Plaintiff, and the others or other of them as Defendants or Defendant; and in the Title to such Cases Lunatics and Infants shall be described as such, and their Committees, Guardians, or Special Guardians named; and where in any such Case a married Woman is named as a Plaintiff and her Husband as a Defendant thereto, a next Friend of such married Woman shall be named in the Title to such Case.

Form of Special Case.

118. Every such Special Case shall concisely state such Facts and Documents as may be necessary to enable the Court to decide the Question raised thereby, and upon the Hearing of such Case the Court and the Parties shall be at liberty to refer to the whole Contents of such Documents, and the Court shall be at liberty to draw from the Facts and Documents stated in any such Special Case any Inference which the Court might have drawn therefrom if proved in a Cause.

Special Case to state how Guardian constituted, and the Concurrence of married Woman.

119. Every such Special Case to which an Infant or a Lunatic is a Party by his Guardian or Special Guardian shall also state how such Guardian or Special Guardian was constituted; and where any married Woman having or claiming any Interest distinct from her Husband is a Party to such Case, it shall be stated therein that she concurs in such Case in her own Right.

Special Cases to be signed by Counsel and filed, and Appearances to be entered.

120. Every such Special Case shall be signed by Counsel for all Parties, and shall be filed in the same Manner as Bills are filed, and the Defendants may appear thereto in the same Manner as Defendants appear to Bills; and no Defendant shall be required to take an attested Copy of a Special Case, but an attested Copy thereof shall be taken by the Plaintiff.

After a Special Case filed, Parties to be bound by Statements after Defendants have appeared, except married Women, Infants, and Lunatics,

121. After a Special Case shall have been filed, and the Defendants shall have appeared thereto, all the Parties to such Special Case shall be subject to the Jurisdiction of the Court, in the same Manner as if the Plaintiff in the Special Case had filed a Bill against the Parties named as Defendants thereto, and such Defendants had appeared to such Bill; and upon the Special Case being filed, and Appearances entered thereto as aforesaid, all Parties to such Special Case, other than married Women, Infants, and Lunatics, shall for the Purposes of such Special Case be bound by the Statements

ments therein; and all married Women, Infants, and Lunatics made Parties to a Special Case shall for the Purposes of such Special Case be bound by the Statements therein, when and not before Leave shall have been given by the Court to set down such Special Case in manner herein-after provided.

who are not to be bound till Leave given by Court to set it down.

122. So soon as all the Defendants shall have appeared to the Special Case the same may, subject to the Provisions herein-after contained, be set down for Hearing, and Subpœnas to hear Judgment issued and served according to the Practice of the said Court.

How Case to be set down for Hearing.

123. When any married Woman, Infant, or Lunatic is Party to a Special Case, Application may be made to the Court for Leave to set down the same, of which Application Notice shall be given to every Party to such Case in whom, as Executor, Administrator, or Trustee, any Property in question therein is or is alleged to be vested in trust for or for the Benefit of such married Woman, Infant, or Lunatic, and also, if such Application be not made by or on behalf of such married Woman, Infant, or Lunatic, to such married Woman and her Husband, or to such Infant, or to such Lunatic and his Committee, if any, as the Case may be; and upon the Hearing of such Application the Court may give Leave to set down such Case, if it shall be of opinion that it is proper that the Question raised therein shall be determined thereon, and shall be satisfied by Affidavit or other sufficient Evidence that the Statements contained therein, so far as the same affect the Interest of such married Woman, Infant, or Lunatic, are true, but otherwise may refuse such Application: Provided always, that in case the Court, upon the Hearing of such Application, shall be of opinion that it is proper that the Question raised in such Case shall be determined thereon, but shall not be satisfied that the Statements contained therein, so far as they affect the Interest of such married Woman, Infant, or Lunatic, are true, it shall be lawful for the Court to direct such Inquiries as to the Court shall seem proper, and upon further Application being made to give or refuse Leave to set down such Case, as to the Court shall seem fit.

When a married Woman, Infant, or Lunatic is a Party, Application to be made to the Court for Leave to set the Case down.

124. It shall be lawful for the Court, upon the Hearing of any such Special Case as aforesaid, to determine the Questions raised therein, or any of them, and by Decree to declare its Opinion thereon, and, so far as the Case shall admit of the same, upon the Right involved therein, without proceeding to administer any Relief consequent upon such Declaration; and every such Declaration of the Court contained in any such Decree shall have the same Force

Upon Hearing, Court to determine Question and make Declaration.

and Effect as such Declaration would have had, and shall be binding to the same Extent as such Declaration would have been if contained in a Decree made in a Suit between the same Parties instituted by Bill: Provided always, that if upon the Hearing of such Special Case as aforesaid the Court shall be of opinion that the Questions raised thereby, or any of them, cannot properly be decided upon such Case, the Court may refuse to decide the same.

Proviso that Court may refuse to decide.

Protection to be afforded to Trustees by Declaration.

125. Every Executor, Administrator, Trustee, or other Person making any Payment or doing any Act in conformity with the Declaration contained in any Decree made upon a Special Case, shall in all respects be as fully and effectually protected and indemnified by such Declaration as if such Payment had been made or Act done under or in pursuance of the express Order of the said Court made in a Suit between the same Parties instituted by Bill, save only as to any Rights or Claims of any Person in respect of Matters not determined by such Declaration.

The Court may suspend the acting upon Declaration.

126. Where any Person shall be desirous to appeal from the Decision on such Special Case, it shall be lawful for the Court, upon Application for that Purpose, either at the Time of the Decree upon such Special Case being made or at any Time afterwards, and upon such Conditions, if any, as the Court shall think fit, to order that the Declaration contained in such Decree shall not be acted upon for such Time as the Court shall think just.

Special Case to be a Lis pendens, and may be registered.

127. The filing of a Special Case, and the entering of Appearances thereto by the Persons named as Defendants therein, shall be taken to be a Lis pendens, and may be registered under the Provisions of an Act made and passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Protection of Purchasers against Judgments, Crown Debts, Lis pendens, Commission of Bankruptcy, and for providing One Office for registering all Judgments in* Ireland, *and for amending the Laws in* Ireland *respecting Bankrupts and Limitations of Actions*, in like Manner as any other Lis pendens in a Court of Equity may now be so registered, and, unless and until so registered, shall not bind a Purchaser or Mortgagee without express Notice thereof.

Mode of identifying Documents, and Court may order Production.

128. Any Documents referred to in a Special Case, and any Copies thereof or Extracts therefrom, identified by the Signature of the Solicitors for all Parties, or of the Town Agents of such Solicitors, may be produced and read at the Hearing of such Case, without

without further Proof; and it shall be lawful for the said Court at any Time after the filing of the Special Case, and the entering of Appearances thereto by the Persons named as Defendants therein, to order any Document which may be admitted thereby to be in the Possession of any Party to such Case to be deposited and produced in such Manner and for such Purposes as the Court shall think fit.

Power to Master of the Rolls and Vice-Chancellors to sit at Chambers for the Despatch of Business, &c.

129. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven it shall be lawful for the Master of the Rolls and the Vice-Chancellor for the Time being and they are hereby required to sit at Chambers for the Despatch of such Part of the Business of the Court as can, without Detriment to the public Advantage arising from the Discussion of Questions in open Court, be heard in Chambers, according to the Directions hereinafter in that Behalf specified or referred to; and the Times at and during which they respectively shall so sit shall be from Time to Time fixed by them respectively.

Lord Chancellor to cause Chambers to be provided for Master of the Rolls and Vice-Chancellor.

130. The Chamber Business of the Master of the Rolls and of the Vice-Chancellor respectively shall be carried on in conjunction with his Court Business; and it shall be lawful for the Lord Chancellor to cause Chambers to be provided for each of them for that Purpose until Courts, with proper Rooms attached, can be provided for them.

Judges to have same Power and Jurisdiction as in open Court.

131. The Master of the Rolls and the Vice-Chancellor respectively, when sitting in Chambers, shall have the same Power and Jurisdiction in respect of the Business to be brought before them as if they were respectively sitting in open Court.

Orders made at Chambers to be drawn up by Judges Clerks.

132. Orders made by the Master of the Rolls and the Vice-Chancellor respectively, when sitting in Chambers, shall ordinarily be drawn up and signed by their respective Chief Clerks.

Orders made at Chambers to have same Force as Orders of Court, &c.

133. All Orders of the Master of the Rolls or of the Vice-Chancellor, made at Chambers, shall have the Force and Effect of Orders of the Court of Chancery, and such Orders may be signed and enrolled in like Manner.

Business to be disposed of in Chambers by the Judges.

134. The Business to be disposed of by the Master of the Rolls and the Vice-Chancellor respectively while sitting at Chambers shall consist of such Matters as the Judge shall from Time to Time think may be more conveniently disposed of in Chambers than in open Court, or as may from Time to Time be directed by any General Order of the Court.

135. It

Judges may adjourn from open Court to Chambers, and vice versâ, the Consideration of any Matter.

135. It shall be lawful for the Master of the Rolls and the Vice-Chancellor respectively when sitting in open Court to adjourn for Consideration in Chambers any Matter which, in the Opinion of such Judge, may be more conveniently disposed of in Chambers, or, when sitting in Chambers, to direct any Matter to be heard in open Court which he may think ought to be so heard.

Proceedings before Judges at Chambers to be by Summons.

136. The Mode of Proceeding before the Master of the Rolls and Vice-Chancellor respectively at Chambers shall be by Summons, and shall be regulated according to such Form and in such Manner as shall be prescribed by a General Order of the Court.

Power to the Judges to direct what Matters, &c. shall be heard and investigated by themselves, and what by their Chief Clerks.

Right to Suitor to bring any Point before the Judge.

137. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven the Master of the Rolls and the Vice-Chancellor respectively shall have the sole Power (subject to any General Orders to be made on the Subject) to order what Business not of a Judicial Character shall be investigated by and before their respective Chief Clerks, either with or without their Direction, during their Progress, and particularly, if the Judge shall so direct, his Chief Clerk shall take Accounts and make such Inquiries as have usually been prosecuted before the Examiners of the present Masters; and the Judge shall give such Aid and Directions in every or any such Account or Inquiry as he may think proper, but subject nevertheless to the Right herein-after provided for the Suitor to bring any particular Point before the Judge himself.

Power to Chief Clerks to issue Advertisements and Summonses, to administer Oaths, &c., as the Judge shall direct.

138. Each Chief Clerk shall, for the Purpose of any Proceedings directed by the Master of the Rolls or the Vice-Chancellor to be taken before him, have full Power to issue Advertisements, to summon Parties and Witnesses, to administer Oaths, to take Affidavits and Acknowledgments, other than Acknowledgments by married Women, to receive Affirmations, and, when so directed by the Judge to whose Court he is attached, to examine Parties and Witnesses either upon Interrogatories or *viva voce*, as such Judge shall direct, but only as to Matters of Account or formal Matters, and not as to any controverted Questions of Fact upon which the Decision of the Judge shall be required.

Parties, &c. not attending liable to Process of Contempt and to Penalties for false swearing, &c.

139. Parties and Witnesses so summoned shall be bound to attend in pursuance of any such Summons, and shall be liable to Process of Contempt, in like Manner as Parties or Witnesses are now liable thereto in case of Disobedience to any Order of the Court, or in case of Default in Attendance, in pursuance of any Order of the Court, or of any Writ of Subpœna ad testificandum; and

and all Persons swearing or affirming before any such Chief Clerk shall be liable to all such Penalties, Punishments, and Consequences for any wilful or corrupt false swearing or affirming contained therein as if the Matters sworn or affirmed had been sworn and affirmed before any Person now by Law authorized to administer Oaths, to take Affidavits, and to receive Affirmations.

Result of Proceedings before Chief Clerk to be embodied in Form of short Certificate, &c.

140. The Directions to be given by the Master of the Rolls or the Vice-Chancellor for or touching any Proceedings before his Chief Clerk shall require no particular Form, but the Result of such Proceeding shall be stated in the Shape of a short Certificate to the Judge, and shall not be embodied in a formal Report, unless in any Case the Judge shall see fit so to direct; and when the Judge shall approve of such Certificate or Report he shall sign the same in testimony of his adopting the same.

No Exceptions to lie to Certificate, &c.

Parties at liberty to take Opinion of Judge upon any particular Point.

141. No Exceptions shall lie to any Certificate or Report of the Chief Clerk, although signed and adopted by the Judge, but any Party shall, either during the Proceedings before such Chief Clerk, or within such Time after such Proceedings shall have been concluded, and before the Certificate or Report shall have been signed and adopted, as the Court shall by any General Order direct, be at liberty to take the Opinion of the Judge upon any particular Point or Matter arising in the course of the Proceedings, or upon the Result of the whole Proceeding when it is brought by the Chief Clerk to a Conclusion.

Certificate, &c. signed and adopted by Judge binding on all Parties, unless discharged or varied.

142. When any Certificate or Report of the Chief Clerk shall have been signed and adopted by the Judge, the same shall be filed in like Manner as Reports are now filed, and shall thenceforth be binding on all the Parties to the Proceedings, unless discharged or varied, either at Chamber or in open Court, according to the Nature of the Case, upon Application by Summons or Motion within such Time as shall be prescribed in that Behalf by any General Order of the Court; and nothing herein contained shall prejudice or affect the Power of the Court at any Time to open any such Certificate or Report, upon the same or the like Grounds as any Report of a Master of the said Court which has been absolutely confirmed may now be opened.

All Powers possessed by Masters to be exercised by Judges.

143. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven all or any of the Powers, Authorities, and Jurisdiction given to the Masters in Ordinary of the said Court by any Act or Acts then in force may be exercised by the Master of the Rolls and the Vice-Chancellor respectively.

144. From

Power to Judges to exercise the Powers given by Sections 31 to 38 inclusive of this Act, and to dispose of any Cause, &c. in open Court.

144. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven the Powers given to the Masters in Ordinary of the said Court and to the Court by Sections 31, 32, 33, 34, 35, 36, 37, and 38 of this Act may be exercised by the Master of the Rolls and Vice-Chancellor respectively with respect to Causes, Matters, and Things which may be depending before them respectively in Chambers; and if and when any such Judge shall be of opinion that any Cause, Matter, or Thing so depending ought to be finally disposed of, unless the Parties or some of them can show good Cause to the contrary, he shall direct the same to stand in his Paper in open Court, giving such Notice thereof, if any, as he shall deem right, and proceed to dispose thereof accordingly.

Court or Judge, on Application of Executors or Administrators, may by Order of Course direct an Account of Debts and Liabilities to be taken.

145. And whereas it is expedient to provide Means for enabling Executors or Administrators of deceased Parties to ascertain whether there are any outstanding Debts or Liabilities affecting the Personal Estates of such Persons, without the Delay and Expense of Suits to administer such Estates: Be it therefore enacted, That upon the Application of the Executors or Administrators of any deceased Person at any Time after Probate or Letters of Administration shall have been granted, it shall be lawful for the Court or Judge, upon a Summons in the Form used for originating Proceedings at Chambers, by an Order in the Form or to the Effect set forth in the Schedule (B.) to this Act, with such Variations as Circumstances may require, to direct that an Account shall be taken of the Debts and Liabilities affecting the Personal Estate of such deceased Person; and after any such Order shall have been made the Court or Judge may, on the Application of the Executors or Administrators, restrain or suspend, until the Account directed by such Order shall have been taken, any Proceedings at Law against such Executors or Administrators by any Person having or claiming to have any Demand upon the Estate of the Deceased, upon such Terms and Conditions, if any, as to the Court or Judge shall seem just; and the Judge in taking an Account of the Debts and Liabilities pursuant to such Order shall, on the Application of the Executors or Administrators, be at liberty to direct that the Particulars only of any Claim or Claims which may be brought in pursuance of any such Order shall be certified by his Chief Clerk, without any Adjudication thereon; and any Notices for Creditors to come in which may be published in pursuance of any such Order shall have the same Force and Effect as if such Notices had been given by the Executors or Administrators in pursuance of the Twenty-ninth Section of the Act of the Twenty-second and Twenty-third Years of *Victoria*, Chapter Thirty-five: Provided always,

always, that no such Order shall be made pending any Proceedings to administer the Estate of such Person; and that in case at any Time after the making of such Order any Decree or Order for administering the Estate of such deceased Person shall be made, it shall be lawful for the said Court by such Decree or Order to stay or suspend the Proceedings under such Order of Course on such Terms and Conditions, if any, as to the said Court shall seem just.

Certificate of Chief Clerk may be objected to by Application to the Court or Judge, of which Notice shall be given.

146. It shall be lawful for any Person who may have come in under any such Order, and claim to be a Creditor upon the Estate of the deceased Person, or to have any Demand upon such Estate by reason of any Liability, and whose Debt or Claim may not have been wholly allowed by the Chief Clerk, to apply to the Court or Judge, in such Manner and within such Time as shall be provided by a General Order of the Court, to have such Claim allowed, either wholly or partially; and it shall be lawful for the said Executors or Administrators, and for any Creditor of the deceased Person who may be authorized by special Leave of the Court or Judge so to do, to apply to the Court or Judge to have any Debt or Claim allowed which has been disallowed by the Chief Clerk, either wholly or partially; but, save as to any Debt or Claim as to which any such Notice as aforesaid may have been given, the Certificate or Report of the Chief Clerk shall, upon the filing of the Certificate or Report, be absolute: Provided always, that upon the Hearing of any such Application as aforesaid the Court or Judge may either dismiss such Application, or may order the Debt or Claim to which such Application relates to be allowed or disallowed, as the Case may be, and either wholly or partially, or may direct further Inquiry or further Proceedings, by way of Action or otherwise, touching such Debt or Claim, and after such Inquiry or Proceedings may deal with such Debt or Claim as to the Court or Judge shall seem just.

Proceeding of the Court on such Application.

If Debts or certain Liabilities allowed, and not paid or provided for Order may be made for, Payment of Accounts.

147. In case any Debt or any certain Liability shall have been allowed as aforesaid, and shall not, within such Time as shall be prescribed by a General Order of the Court, be paid or provided for by Appropriation to the Satisfaction of the Person who has established such Liability, it shall be lawful for the Court or Judge, by Order, to be made in case of any Debt remaining due upon the Application of the Person to whom the Debt remains due, and on Notice to the Executors or Administrators, and in case of any certain Liability remaining unprovided for by Appropriation upon the Application of the Person by whom such Liability has been established, or of the Executors or Administrators, and on Notice by the Party applying to the other of them, to order Payment of the Debts

Debts which may have been allowed and remain unpaid, and to provide for the certain Liabilities which may have been allowed and remain unprovided for, in like Manner as the same could or might have been paid or provided for in a Suit for that Purpose instituted by Bill, or to direct an Account to be taken of the Debts and certain Liabilities allowed as aforesaid which remain unpaid or unprovided for, and also the usual Accounts of the Personal Estate of the deceased Person, with all usual and proper Directions; and every such Order shall have the same Force and Effect and shall be prosecuted and carried on in like Manner as a Decree in a Creditor's Suit instituted by Bill.

Court or Judge, on Application of Executors or Administrators, may direct Appropriation of Money to answer contingent Liability.

148. In case any contingent Liability shall be duly allowed as aforesaid, it shall be lawful for the Court or Judge, by Order, to be made upon the Application of the Executors or Administrators, on Notice to the Person who may have established such contingent Liability, to order such Sum of Money, Part of the Estate of the deceased Person, as to the Court or Judge shall seem just, to be set apart and appropriated for answering such contingent Liability, and to give such Directions as the Court or Judge shall think fit touching the Payment of such Sum of Money into Court, and the Investment thereof, and the Payment, Application, or Accumulation of the Interest or Dividends thereof in the meantime and until the same shall be required to answer such Liability, and when such Liability shall be ascertained or determined, to give such Directions as to the Payment of such Sum out of Court as the Court or Judge shall deem right: Provided always, that no Order to be made as aforesaid shall in any Manner bind the Assets so appropriated as against the Persons entitled to the Estate of the Deceased, subject to the contingent Liability; and any Person interested in such appropriated Assets may apply to the Court touching the same as he may be advised.

Court may restrain Proceedings against Executors or Administrators.

149. After the filing of such Certificate or Report as aforesaid it shall be lawful for the Court or Judge, upon the Application of the Executors or Administrators of the Deceased, by Order, to restrain by Injunction any Proceedings at Law against them by any Person having or claiming to have any Demand upon the Estate of the Deceased by reason of any Debt or Liability, other than the Persons who may have established contingent Liabilities under the said Order for which no Appropriation may have been made.

Protection to be afforded to

150. In case no Debt or Liability, or no Debt or Liability other than a contingent Liability, shall have been allowed as aforesaid,

or

or in case any Debt or Liability other than as aforesaid shall have been allowed as aforesaid, then after the same shall have been paid or provided for by Appropriation as aforesaid, all Payments made by the Executors or Administrators, or any of them, on account of the Estate of the deceased Person, and all Dispositions of such Assets made by them or any of them on account of such Estate, shall, as against all Persons having or claiming to have any Demand upon such Estate by reason of any Debt or Liability, other than Persons who may have established under the said Order any contingent Liability for which no such Appropriation as aforesaid may have been made, be as good and effectual as if the same had been made under a Decree of the Court: Provided always, that nothing herein contained shall in any Manner affect or prejudice the Rights of any Creditor or other Person having any Demand or Claim upon the Estate of the Deceased against any Assets so paid or disposed of, or against the Persons to whom such Payment or Disposition may have been made, or against any Assets appropriated under the Provisions of this Act, and the Appropriation of which, if made under a Decree of the said Court in a Suit to which he was not a Party, would not have been binding upon him.

Executors and Administrators.

151. It shall be lawful for any Person claiming to be a Creditor, or a specific, pecuniary, or residuary Legatee, or the Next of Kin, or some or One of the Next of Kin of a deceased Person, to apply for and obtain as of course, without Bill filed or any other preliminary Proceedings, a Summons from the Master of the Rolls or the Vice-Chancellor, requiring the Executor or Administrator, as the Case may be, of such deceased Person, to attend before him at Chambers, for the Purpose of showing Cause why an Order for the Administration of the Personal Estate of the Deceased should not be granted; and upon Proof by Affidavit of the due Service of such Summons, or on the Appearance in Person or by his Solicitor or Counsel of such Executor or Administrator, and upon Proof by Affidavit of such other Matters, if any, as such Judge shall require, it shall be lawful for such Judge, if in his Discretion he shall think fit so to do, to make the usual Order for the Administration of the Estate of the Deceased, with such Variations, if any, as the Circumstances of the Case may require; and the Order so made shall have the Force and Effect of a Decree to the like Effect made on the Hearing of a Cause between the same Parties; provided that such Judge shall have full discretionary Power to grant or refuse such Order, or to give any special Directions touching the Carriage or Execution of such Order, and in the Case of Applications for any such Order by Two or more different Persons or Classes of Persons, to grant the same to such One or more of the Claimants, or of the

Creditor, &c. may summon Executor, &c. to show Cause why an Order for Administration of Personal Estate should not be granted.

Power to Judge to order Administration of such Estate.

Classes of Claimants, as he may think fit; and, if the Judge shall think proper, the Carriage of the Order may subsequently be given to such Party interested, and upon such Terms as the Judge may direct.

Copy of Summons to be filed in the Office of the Deputy Keeper of the Rolls.

152. A Duplicate or Copy of such Summons shall, previously to the Service thereof, be filed in the Office of the Deputy Keeper of the Rolls; and no Service thereof upon any Executor or Administrator shall be of any Validity unless the Copy so served shall be stamped with a Stamp of such Office indicating the filing thereof; and such Summons may be registered under the Provisions of the Act mentioned in the 128th Section of this present Act; and the filing and Registration of such Summons shall have the same Effect with respect to Lis pendens as the filing and Registration of a Bill.

Creditor, &c. may obtain an Order for Administration of Real Estate.

153. It shall be lawful for any Person claiming to be a Creditor of any deceased Person, or interested under his Will, to apply for and obtain in a summary Way, in the Manner herein-before provided with respect to the Personal Estate of a deceased Person, an Order for the Administration of the Real Estate of a deceased Person where the whole of the Real Estate so sought to be administered is by Devise vested in Trustees who are by the Will empowered to sell such Real Estate, and authorized to give Receipts for the Rents and Profits thereof, and for the Produce of the Sale of such Real Estate, or where the Real Estate of such Person is otherwise liable to be sold for Payment of the Demand of the Person so applying; and all the Provisions herein-before contained with respect to the Application for such Order at the Suit of a Creditor in relation to the Personal Estate of a deceased Person, and consequent thereon, shall extend and be applicable to an Application for such Order as last herein-before mentioned with respect to Real Estate; and such Application and Proceeding may be combined with an Application and Proceeding for the Administration of the Personal Estate of the same Person where it is necessary or proper that such Real and Personal Estate shall be administered together.

Suit not to be dismissed for Misjoinder of Plaintiffs, but Court may modify its Decree according to special Circumstances.

154. No Suit in the Court commenced by Bill shall be dismissed by reason only of the Misjoinder of Persons as Plaintiffs therein; but whenever it shall appear to the Court that, notwithstanding the Conflict of Interest in the Co-plaintiffs, or the Want of Interest in some of the Plaintiffs, or the Existence of some Ground of Defence affecting some or One of the Plaintiffs, the Plaintiffs, or some or One of them, are or is entitled to Relief, the Court shall have

have Power to grant such Relief, and to modify its Decree, according to the special Circumstances of the Case, and for that Purpose to direct such Amendments, if any, as may be necessary, and at the Hearing, before such Amendments are made, to treat any One or more of the Plaintiffs as if he or they was or were a Defendant or Defendants in the Suit, and the remaining or other Plaintiff or Plaintiffs was or were only Plaintiff or Plaintiffs on the Record; and where there is a Misjoinder of Plaintiffs, and the Plaintiff having an Interest shall have died, leaving a Plaintiff on the Record without an Interest, the Court may, at the Hearing of the Cause, order the Cause to stand revived as may appear just, and proceed to a Decision of the Cause, if it shall see fit, and to give such Directions as to Costs or otherwise as may appear just and expedient.

No Suit to be objected to because only declaratory Order sought.

155. No Suit in the Court shall be open to Objection on the Ground that a merely declaratory Decree or Order is sought thereby, and it shall be lawful for the Court to make binding Declarations of Right without granting consequential Relief.

Court may decide between some of the Parties without making others interested Parties to the Suit.

156. It shall be lawful for the Court to adjudicate on Questions arising between Parties, notwithstanding that they may be some only of the Parties interested in the Property respecting which the Question may have arisen, or that the Property in question is comprised with other Property in the same Settlement, Will, or other Instrument, without making the other Parties interested in the Property respecting which the Question may have arisen, or interested under the same Settlement, Will, or other Instrument, Parties to the Suit, and without requiring the whole Trusts and Purposes of the Settlement, Will, or other Instrument to be executed under the Direction of the Court, and without taking the Accounts of the Trustees or other accounting Parties, or ascertaining the Particulars or Amount of the Property touching which the Question or Questions may have arisen: Provided always, that if the Court shall be of opinion that the Application is fraudulent or collusive, or for some other Reason ought not to be entertained, it shall have Power to refuse to make the Order prayed.

Proviso.

In case of Abatement, &c. of Suit, an Order may be made, which shall have the same Effect as a Bill of Revivor.

157. Upon any Suit in the said Court commenced by Bill becoming abated by Death, Marriage, or otherwise, or defective by reason of some Change or Transmission of Interest or Liability, it shall not be necessary to exhibit any Bill of Revivor or Supplemental Bill in order to obtain the usual Order to revive such Suit, or the usual or necessary Decree or Order to carry on the Proceedings; but an Order to the Effect of the usual Order to revive or of the

the usual Supplemental Decree may be obtained as of course upon an Allegation of the Abatement of such Suit, or of the same having become defective, and of the Change or Transmission of Interest or Liability; and an Order so obtained, when served upon the Party or Parties who according to the present Practice of the Court would be Defendant or Defendants to the Bill of Revivor or Supplemental Bill, shall from the Time of such Service be binding on such Party or Parties in the same Manner in every respect as if such Order had been regularly obtained according to the existing Practice of the said Court; and such Party or Parties shall thenceforth become a Party or Parties to the Suit, and shall be bound to enter an Appearance thereto in the Office of the Clerk of Appearances and Writs within such Time and in like Manner as if he or they had been duly served with Process to appear to a Bill of Revivor or Supplemental Bill filed against him: Provided that it shall be open to the Party or Parties so served, within such Time after Service as shall be in that Behalf prescribed by any General Order of the Court, to apply to the Court by Motion or Petition to discharge such Order on any Ground which would have been open to him on a Bill of Revivor or Supplemental Bill, stating the previous Proceedings in the Suit, and the alleged Change or Transmission of Interest or Liability, and praying the usual Relief consequent thereon: Provided also, that if any Party so served shall be under any Disability other than Coverture, such Order shall be of no Force or Effect as against such Party until a Guardian or Guardians ad litem shall have been duly appointed for such Party, and such Time shall have elapsed thereafter as shall be prescribed by any General Order of the Court in that Behalf.

New Facts, &c. after Commencement of Suit to be introduced as Amendments to Bill, &c.

158. It shall not be necessary to exhibit any Supplemental Bill in the Court for the Purpose only of stating or putting in issue Facts or Circumstances which may have occurred after the Institution of any Suit, but such Facts or Circumstances may be introduced by way of Amendment into the original Bill of Complaint in the Suit if the Cause is otherwise in such a State as to allow of an Amendment being made in the Bill, and if not the Plaintiff shall be at liberty to state such Facts or Circumstances on the Record in such Manner and subject to such Rules and Regulations with respect to the Proof thereof, and the affording the Defendant Leave and Opportunity of answering and meeting the same, as shall in that Behalf be prescribed by any General Order of the Court.

Where Account required to be taken, Court may

159. It shall be lawful for the Court in any Case where any Account is required to be taken to give such special Directions, if any, as it may think fit, with respect to the Mode in which the Account

Account should be taken or vouched, and such special Directions may be given either by the Decree or Order directing such Account, or by any subsequent Order or Orders, upon its appearing to the Court that the Circumstances of the Case are such as to require such special Directions; and particularly it shall be lawful for the Court, in Cases where it shall think fit so to do, to direct that in taking the Account the Books of Account in which the Accounts required to be taken have been kept, or any of them, shall be taken as *primâ facie* Evidence of the Truth of the Matters therein contained, with Liberty to the Parties interested to take such Objections thereto as they may be advised.

give special Directions as to the Mode of taking same.

160. Where any Real or Personal Property shall form the Subject of any Proceedings in the Court of Chancery, and the Court shall be satisfied that the same will be more than sufficient to answer all the Claims thereon which ought to be provided for in such Suit, it shall be lawful for the said Court, at any Time after the Commencement of such Proceedings, to allow to the Parties interested therein, or any One or more of them, the whole or Part of the annual Income of such Real Property, or a Part of such Personal Property, or a Part or the whole of the Income thereof, up to such Time as the said Court shall direct, and for that Purpose to make such Orders as may appear to the said Court necessary or expedient.

Where Real or Personal Property is the Subject of Proceedings, Court may allow to Parties Part or the whole of the annual Income.

161. Upon Application by Motion or Petition to the Court in any Suit depending therein for an Injunction or a Receiver, or to dissolve an Injunction, or discharge an Order appointing a Receiver, the Answer of the Defendant shall, for the Purpose of Evidence on such Motion or Petition, be regarded merely as an Affidavit of the Defendant, and Affidavits may be received and read in opposition thereto.

Answer of Defendant on Motion for Injunction, or Receiver, &c. to be regarded as an Affidavit.

162. It shall be lawful for the Court, in such Way as they may think fit, to obtain the Assistance of Accountants, Merchants, Engineers, Actuaries, or other scientific Persons, the better to enable such Court to determine any Matter at issue in any Cause or Proceeding, and to act upon the Certificate of such Persons.

Power to obtain the Assistance of Accountants, Merchants, &c.

163. The Allowances in respect of Fees to such Accountants, Merchants, Engineers, Actuaries, and other scientific Persons shall be regulated by the Taxing Master of the Court, subject to an Appeal to the Court to which the Cause or Matter shall be attached, whose Decision shall be final.

Taxing Master to regulate Fees to Accountants, &c., subject to Appeal.

164. In case any of the Directions herein contained with respect to the Practice and Course of Proceeding in the Court shall by Mistake

In case Directions as to Practice,

&c. not followed, Court may make Order and award Costs.

Mistake of Parties fail to be followed in any Suit, it shall be lawful for the said Court, if it shall think fit, upon Payment of such Costs as such Court shall direct, to make such Order giving effect to and rectifying such Proceedings as may be justified by the Merits of the Case.

Costs may be taxed, notwithstanding the Death of Person to whom they are awarded.

165. When by any Decree or Order Costs shall be ordered to be paid to any Person, and the Person to whom such Costs shall be ordered to be paid shall die before such Costs shall have been taxed or the Amount thereof ascertained, such Costs may be taxed and ascertained by the Taxing Master, notwithstanding the Death of such Person, on the Application of his personal Representative.

Costs may be taxed notwithstanding Death of Person by whom they are payable.

166. When by any Decree or Order Costs shall be ordered to be paid by any Person, and in consequence of the Death of such Person such Costs cannot, according to the existing Law or Practice, be taxed or ascertained, it shall be lawful for the Court, on the Application of the Person entitled to such Costs, to direct the Taxing Master to tax and ascertain the same, upon Service of a Summons upon the personal Representative of the Person by whom such Costs have been ordered to be paid, or such Person as the Court shall appoint to represent the Estate of such deceased Person.

Summons to tax to be served in ordinary Way.

167. Summonses to tax Costs, pursuant to the Two last preceding Sections of this Act, shall be served in like Manner as ordinary Summonses issued by the Taxing Master, or in such Manner as the Taxing Master shall by any Writing to be signed by him direct.

Taxing Master may proceed ex parte.

168. The Taxing Master may proceed *ex parte* with such Taxation, in case the Person served with such Summons shall not, by himself or his Solicitor, attend pursuant thereto.

Taxed Costs may be recovered.

169. All Costs taxed and ascertained under the Provisions of this Act may be recovered in like Manner as if the same had been taxed and ascertained in the Lifetime of the Person to whom or by whom the same shall have been awarded to be paid, or of the Person in consequence of whose Death the same could not, according to the existing Law or Practice, have been taxed or ascertained, any Law or Practice to the contrary notwithstanding.

Court of Chancery may summarily restrain the Bank of Ireland, &c. from per-

170. On and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven it shall be lawful for the said Court of Chancery, upon the Application of any Party interested, by Motion or Petition in a summary Way, without Bill filed, to restrain the Governor and Company of the Bank of *Ireland*, or any other public Company in *Ireland*, whether incorporated

incorporated or not, from permitting the Transfer of any Stock in the Public Funds or any Stock or Shares in any public Company which may be standing in the Name or Names of any Person or Persons or Body Politic or Corporate in the Books of the Governor and Company of the Bank of *Ireland* or in the Books of any such public Company, or from paying any Dividend or Dividends due or to become due thereon: Every Order of the said Court of Chancery upon such Motion or Petition as aforesaid shall specify the Amount of the Stock or the particular Shares to be affected thereby, and the Name or Names of the Person or Persons, Body Politic or Corporate, in which the same shall be standing: Provided always, that the said Court of Chancery shall have full Power, upon the Application of any Party interested, to discharge or vary such Order and to award such Costs upon such Application as to the said Court shall seem fit.

mitting Transfer of Stock, &c.

171. On and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven it shall be lawful for any Person claiming any Interest in any Government Stock transferable at the Bank of *Ireland*, standing in the Name or Names of any Person or Persons, or Body Politic or Corporate, in the Books of the Governor and Company of the Bank of *Ireland*, to sue out of the Office of the Clerk of Appearances and Writs a statutory Writ of Injunction, in the Form set forth in the Schedule (B.) to this Act, to restrain the Bank from permitting the Transfer of the said Stock or the Payment of the Dividends thereof, and the same shall be served upon the Secretary of the Bank within Four Days after the issuing of the same, or else the same shall be void, and Notice of the sueing out and Service of such Writ shall be given by the Person sueing out the same immediately after the Service thereof to the Person or Persons or the proper Officer of the Corporation in whose Name or Names the said Stock shall be standing.

Persons claiming Government Stock standing in the Name of another may sue out Writ of Injunction to restrain the Transfer.

172. From and after the Service of the said Writ as herein-before provided it shall not be lawful for the said Governor and Company to permit the said Stock to be transferred or to pay the Dividends thereof until the said Writ shall have been discharged or shall have lapsed as herein-after provided.

After Service of Writ Bank not to permit Transfers or Payment of Dividends.

173. It shall be lawful for the Person, Persons, or Corporation in whose Name or Names the said Stock shall be standing, or any other Person interested therein or in the Dividends thereof, to apply to the Court in a summary Way to discharge the said Writ, which the Court shall have Power to do, and to award such Costs upon such Application as to the Court shall seem fit, and the said

Application to Court to discharge such Writ.

said Writ may be discharged by an Order for that Purpose made in any Suit or other Proceeding, if the Court shall think fit.

Persons interested in Stock may, notwithstanding such Writ, request Transfer to be made; whereupon Bank to notify such Request to Parties by whom Writ sued out.

174. The Person or Persons or Corporation in whose Name or Names the said Stock shall be standing, or the Executors or Administrators of such Person or Persons, may by himself or themselves, or some Person on their or his Behalf, in Writing, request the said Governor and Company to permit the said Stock to be transferred or pay the said Dividends, notwithstanding such Writ, and the said Governor and Company shall thereupon notify in Writing to the Person who has sued out such Writ that such Request has been made, and unless such Person shall within Eight Days after such Notification obtain and serve upon the said Governor and Company a Writ of Injunction, issued by Order of the Court upon Motion or Petition in some Suit or Matter then pending, the said statutory Writ shall at the Expiration of the said Eight Days be deemed to have lapsed, and the said Governor and Company may thereupon permit the said Stock to be transferred and the said Dividends to be paid as if the same had not been issued.

Pending Suits to be prosecuted according to present Practice.

175. Notwithstanding anything herein-before contained, all Suits which on the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven shall be pending in the said Court, and all Suits commenced before the last-mentioned Day which shall after that Day be continued or prosecuted in the Court, shall be so conducted, continued, or prosecuted in the same Manner and according to the same Practice as if this Act had not passed: Provided always, that it shall be lawful for the Lord Chancellor, by an Order to be made upon Motion or Petition in any particular Suit, to direct that the whole or any Part of the further Proceedings in such Suit shall thenceforth be continued, carried on, and prosecuted according to the Practice in force for the Conduct of Suits commenced after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven.

Lord Chancellor and Judges to make General Rules and Orders for carrying Purposes of this Act into effect.

176. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lord Justice of the Court of Appeal in Chancery, and the Vice-Chancellor, or any Two of them, may and they are hereby required from Time to Time to make General Rules and Orders for carrying the Purposes of this Act into effect, and for regulating the Times and Forms and Course of Procedure, and the Mode of taking Evidence in Suits, and generally the Practice of the said Court in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to the Solicitors of the said Court in respect to such Matters, and the Costs of any Proceedings under or in pursuance of this Act, including

including the fixing of a higher and lower Scale of Costs, Fees, and Allowances according to the Nature of such Proceedings, and the Amount involved, and for altering, if necessary, the Course of Proceeding herein-before prescribed in respect to the Matters to which this Act relates, or any of them; and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority; and all such Rules and Orders shall be and take effect as General Orders of the said Court: Provided always, that in making such General Orders regard shall be had to establishing and preserving, so far as may be, Uniformity of Practice and Procedure in the Courts of Chancery in *England* and *Ireland*.

Such General Rules and Orders to be laid before Parliament.

177. All such General Orders as aforesaid shall immediately after the making and issuing thereof be laid before both Houses of Parliament, if Parliament be then sitting, or, if Parliament be not then sitting, within Five Days after the next Meeting thereof: Provided always, that if either of the Houses of Parliament shall, by any Resolution passed within Thirty-six Days after such General Orders have been laid before such Houses of Parliament, resolve that the whole or any Part of such General Orders ought not to continue in force, in such Case the whole, or such Part thereof as shall be so included in such Resolution, shall from and after such Resolution cease to be binding.

PART IV.

Part IV.

Fees and Stamps.

Fees and Stamps.

Power to the Court, with the Assent of the Lords Commissioners of Her Majesty's Treasury, to vary, &c. the Chancery Fund Duties payable under 4 G. 4. c. 78.

178. Whereas the Alterations in the Practice and Course of Procedure in the said Court will affect the Duties at present levied in respect of Proceedings in the said Court under the Name of Chancery Fund Duties, and in pursuance of the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to grant additional Stamp Duties on certain Proceedings in the Court of Chancery and in the Equity Side of the Court of Exchequer in* Ireland, and it is essential that Power should be given to the Court, with the Consent of the Lords Commissioners of Her Majesty's Treasury, to modify such Duties, so as to adapt the same to the Practice and Course of Procedure to be introduced pursuant to this Act: Be it enacted, That it shall be lawful for the Court, by any General Orders to be made as by this Act directed, and with the Consent of the Lords Commissioners of Her Majesty's Treasury, to vary, reduce, or abolish all or any of the Chancery Fund Duties now payable in relation to Proceedings in the said Court, and to substitute One or more Duty or Duties in lieu thereof, and to regulate the Fees to be paid in all the Offices of the said Court, and the Court shall have

full Power by any such General Orders, with like Consent, from Time to Time to vary, reduce, or abolish any such Duties or Fees as aforesaid, anything in any Act or Acts relating to such Duties or Fees to the contrary notwithstanding.

Fees now payable in respect of Proceedings in Court, and accounted for to the Treasury, to be added to the Chancery Fund Duties.

179. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven the Fees now payable in relation to Proceedings in the Court of Chancery in *Ireland*, and which are received in Money, and accounted for to Her Majesty's Treasury, shall be no longer received in Money, but shall be added to "The Chancery Fund" Duties at present payable in respect of such Proceedings, and such Fees shall be subject to be varied, reduced, or abolished in the Manner heretofore provided in respect of such Chancery Fund Duties; and all the Provisions at present in force in relation to the Collection and accounting for the said Chancery Fund Duties shall apply to he Collection and accounting for the said Fees.

Fees which are now accounted for to Suitors Fee Fund to be henceforth received by Stamps.

180. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven the Fees in relation to Proceedings in the said Court now received in Money, and which are accounted for with the Accountant General of the Court of Chancery in *Ireland*, for the Credit of the Account called the Suitors Fee Fund Account, shall no longer be received in Money, but by a Stamp denoting the Amount of the Fee which otherwise would be payable, and to be called "Chancery Fee Fund Stamp;" and where any Fee shall be payable in respect of any Document, such Stamp shall, at the Expense of the Party liable to pay the Fee, and in such Manner and under such Regulations as shall by any General Order or Orders be directed, be stamped or affixed on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or engrossed, or which may be otherwise used in reference to such Proceedings; and all Sums received in respect of such Chancery Fee Fund Stamps shall be collected and paid over in manner herein-after provided.

No Officer hereafter to receive Fees for his own Use, but all Officers to be paid by Salary.

181. From and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven no Officer of the Court of Chancery shall be entitled to receive and retain for his own Use any Fee or Reward whatsoever; and all Officers of the Court of Chancery and of the Judges thereof now entitled to receive and retain any Fees or other Payments for their own Use which by virtue of this Act they will cease so to receive after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven shall while they continue to hold their respective Offices receive, in lieu of all Fees or other Payments whatsoever now received by

by or paid or payable to them for their own Use, such Salary as, having regard to the Emoluments heretofore received by them and to the Nature and Tenure of such Offices, the Lord Chancellor and the Lords Commissioners of Her Majesty's Treasury shall think just; and every such Officer shall in respect of the Salaries so fixed be in the same Position as regards his Superannuation Allowance as if such Fees continued to be payable; and upon the present Holders of such Offices respectively ceasing to hold the same the Lord Chancellor, with the Assent of the Lords Commissioners of Her Majesty's Treasury, shall fix the Salaries to be thereafter received in respect thereof with reference to the Nature and Duties of such Offices respectively.

Officers to continue to receive Fees until Lord Chancellor shall otherwise direct, and pay them into the Suitors Fee Fund.

182. It shall be lawful for all Officers of the Court of Chancery and of the Judges thereof, heretofore entitled to receive any Fees or Emoluments for their own Use, and for their Successors in their respective Offices, and their several and respective Clerks or Agents, to continue to receive and take all and every the Fees and Emoluments which have been accustomed to be paid to them until the Lord Chancellor shall by any Order or Orders otherwise direct; and all such Fees shall no longer be received in Money, but by such Stamps as are herein provided, and all Sums received in respect of such Stamps shall be accounted for as herein provided; and the Salaries of such Officers shall thenceforth be payable out of such Monies as shall be provided by Parliament for that Purpose.

Power to vary Fees.

183. It shall be lawful for the Court by any General Orders to be made as by this Act directed, and with the Consent of the Lords Commissioners of Her Majesty's Treasury, to vary, reduce, or abolish all or any of the Chancery Fund Duties, Chancery Fee Fund Stamps, into which such Fees as aforesaid may be commuted under this Act, and to substitute One or more Fee or Fees, Stamp or Stamps, in lieu thereof, and to direct that all or any of such Fees or Stamps shall from a Day to be named in such Orders and thenceforth be collected.

The Commissioners of Inland Revenue to carry General Orders relating to Fees and Stamps into effect.

184. The Commissioners of Inland Revenue shall from Time to Time give the necessary Directions for carrying the Provisions of the Act and of every General Order of the Court made in pursuance thereof into effect, and shall provide everything that shall be necessary for that Purpose, and shall do or cause to be done everything that shall be necessary for the Receipt and Collection of the Money to be paid for such Stamps; and the said Commissioners shall cause separate and distinct Accounts to be kept of all Sums of Money received or collected by them for such Chancery Fee Fund Stamps, and the Money so received shall, under the Direction of the Commissioners

sioners of Her Majesty's Treasury, be carried into and shall form Part of the Consolidated Fund.

Commissioners of Inland Revenue may make Regulations as to Allowance for spoiled Stamps.

185. It shall be lawful for the Commissioners of Inland Revenue from Time to Time to make such Regulations as they shall think fit for the Allowance of such Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no immediate Use, or which, through Mistake or Inadvertence, may have been improperly or unnecessarily used; and such Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed, or by repaying the Amount or Value to the Owner or Holder thereof, after deducting the Discount or Poundage, if any, allowed on the Sale of Stamps of the like Kind.

Commissioners to have Powers in 5 & 6 Vict. c. 82.

186. For the Purpose of raising, levying, and collecting the Stamps and other Duties made payable by this Act, the Commissioners of Inland Revenue shall have and be vested with all the Powers and Authorities of the said Act of the Fifth and Sixth *Victoria*, Chapter Eighty-two, and the Acts therein recited or referred to; and the several Provisions of the said Acts (so far as the same are not inconsistent with this Act) shall be applicable to the Stamps and other Duties to be collected and raised under this Act, and shall be applied and put in execution for collecting and securing the Sums of Money denoted thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relative thereto, as fully and effectually to all Intents and Purposes as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Sums of Money respectively.

No Document to be received or used unless stamped.

187. No Document which by any such General Orders as aforesaid shall be required to have a Stamp impressed thereon or affixed thereto shall be received or filed, or be used in relation to any Proceeding in the Court of Chancery, or be of any Validity for any Purpose whatsoever, unless or until the same shall have a Stamp impressed thereon or affixed thereto in the Manner directed by such Order: Provided always, that if at any Time it shall appear that any such Document which ought to have had a Stamp impressed thereon or affixed thereto has through Mistake or Inadvertence been received or filed or used without having such Stamp impressed thereon or affixed thereto, it shall be lawful for the Lord Chancellor, if he think fit, to order that such Stamp shall be impressed thereon or affixed thereto; and thereupon when a Stamp shall have been impressed on such Document or affixed thereto in compliance with any such Order, such Document, and every Proceeding in reference thereto,

thereto, shall be as valid and effectual as if such Stamp had been impressed thereon or affixed thereto in the first instance.

Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.

188. If any Officer of the Court of Chancery or other Person shall do or commit or connive at any fraudulent Act or Practice in relation to any Stamp to be used under the Provisions of this Act, or to any Fee or Sum of Money to be collected or which ought to be collected by means of any such Stamp, or if any such Officer or Person shall be guilty of any wilful Act, Neglect, or Omission in relation to any such Stamp or Fee as aforesaid, whereby any Fee or Sum of Money which ought to be collected shall be lost or the Payment thereof evaded, every such Officer or Person so offending shall be dismissed from his Office or Employment, if the Lord Chancellor shall think fit so to order.

Acts and General Orders shall apply to reduced Fees.

189. When any of the Fees now payable shall be reduced as aforesaid, the Provisions of all Acts and General Orders relating to the original Fees, save where inconsistent with this Act or the General Orders, shall apply to such reduced Fees.

Act not to extend to Fees in Bankruptcy.

190. Nothing in this Act contained shall apply to the Stamp Duties or Fees payable in the Bankrupt Court, or to abolish the Stamp Duties or Fees relating to Commissions of Bankruptcy.

PART V.

Miscellaneous.

PART V.

Miscellaneous.

Salaries to be payable out of Monies to be provided by Parliament.

191. Except as herein otherwise provided, all Salaries and Compensation under this Act shall grow due from Day to Day; and if any Person holding any of the said Offices shall die, resign, or be removed from the same, or if any Person entitled to such Allowance shall die, the Executor or Administrator of the Person so dying, or the Person so resigning or being removed, shall be entitled to receive a proportionable Part of his Salary for the Time that such Person shall have lived or executed his Office since the last Payment; and all Salaries, Pensions, Compensations, and Superannuations, whether already granted or to be granted, and all other Expenses in the Court of Chancery (other than the Salaries and Pensions of the Lord Chancellor, the Lord Justice of Appeal, the Master of the Rolls, the Vice-Chancellor, and the Masters), shall be paid out of Monies to be voted by Parliament for that Purpose; and the Amount of all Fees (other than Fees received by Officers for their own Benefit until the Lord Chancellor shall otherwise direct), as well as the Income of all Suitors Fee or other Funds, shall be accounted

for and paid into the Exchequer in such Manner as the Lords Commissioners of Her Majesty's Treasury may direct.

Dividends of Funds which have not been dealt with for Ten Years may be transferred to the Suitors Fee Fund Account.

192. On the First Day of *October* next after the passing of this Act, and on the same Day in each succeeding Year, an Investigation shall be made into the several Accounts standing in the Name of the said Accountant General to the Credit of any Cause or Matter the Dividends of which shall not have been dealt with for Ten Years or upwards prior to such Time, otherwise than by the Investment of Dividends, and the Lord Chancellor, if and when he shall be of opinion that it is not probable that any Claim will be made for the same, may make Orders for the Investment of the Cash on any such Accounts and for the Appropriation of the future Dividends to accrue due on the Stock for the Time being on any such Accounts, or such Part of such Dividends as he shall be of opinion may safely and properly be so appropriated by carrying the same over to the Credit of the Account in the Books of the Accountant General called the "Suitors Fee Fund Account;" and such Dividends, when so carried over, shall thereupon become Part of the Fund standing to such Account.

Rights of Suitors to Stock or Dividends transferred not to be affected, but to be satisfied out of the Suitors Fee Fund.

193. The Right of any Suitor of the said Court to the Stock the Dividends of which shall be appropriated by any such Order or Orders as aforesaid, or to the Dividends so directed to be appropriated, shall not be in anywise prejudiced or affected by such Order or Orders, or by such Appropriation in pursuance thereof as aforesaid, but the Claims of such Suitor or Suitors shall be made good and satisfied out of the Fund standing to the Credit of the Accounts called the Suitors Fee Fund Account and the Suitors Unclaimed Dividend Account, or either of them, by virtue of any Order or Orders to be from Time to Time made by the said Court for that Purpose.

Power to Parties ordered to invest in Transfer Stock, to employ any licensed Stock Broker.

194. It shall be lawful for the Party or Parties in any Suit who shall be ordered to invest any Money in the Purchase of the Stocks, Funds, or Annuities transferable at the Bank of *Ireland*, or to transfer for Sale or otherwise any of the said Stocks, Funds, or Annuities, to employ any One of the licensed Stock Brokers, being a Member of the Stock Exchange in *Dublin*, to make such Investment and Transfer.

Commencement of the Act.

195. This Act shall commence and take effect from and after the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven, save as to Part I. and Clause 176, which shall commence and take effect from the First of *August* One thousand eight hundred and sixty-seven, provided that such General Orders as aforesaid shall not be made to take effect before the First Day of *Michaelmas* Term One thousand eight hundred and sixty-seven.

SCHE-

SCHEDULES.

SCHEDULE (A.) REFERRED TO BY THE FOREGOING ACT.

13 & 14 Victoria, c. 89. ss. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32.

23 & 24 Victoria, c. 38. s. 14.

SCHEDULE (B.) REFERRED TO BY THE FOREGOING ACT.

Form of Endorsement on Bill of Complaint.

Victoria R.

To the within-named Defendant, *C.D.*, greeting:

We command you ["and every of you," *where there is more than One Defendant*], that within Eight Days after Service hereof on you, exclusive of the Day of such Service, you cause an Appearance to be entered for you in Our High Court of Chancery to the within Bill of Complaint of the within-named *A.B.*, and that you observe what Our said Court shall direct. Witness Ourselves at Dublin, the Day of in the Year of Our Reign.

NOTE.—If you fail to comply with the above Directions you will be liable to be arrested and imprisoned.

Appearances are to be entered at the Office of the Clerk of Appearances and Writs, Four Courts, Dublin.

Form of Replication.

Between *A.B.*, Plaintiff,

and

C.D., *E.F.*, *G.H.*, &c., Defendants.

The Plaintiff in this Cause hereby joins Issue with the Defendant [*all the Defendants who have answered, or who have not been required to answer and have not answered the Bill*], and will hear the Cause upon Bill and Answer against the Defendant *E.F.* [*all the Defendants against whom the Cause is to be heard on Bill and Answer*], and on Order to take the Bill as confessed against the Defendant *G.H.* [*as the Case may be*].

Form

Court of Chancery (Ireland).

Form of Order for Administration of Personal Estate.

[Date.]

In the Matter of *A.B.*, late of in the County of Banker [*or as the Case may be*], deceased.

Upon the Application of *C.D.*, the Executor of the Will, *or* Administrator of the Effects of the above-named *C.D.*, and reading the Probate of the said Will or Letters of Administration of the Effects of the said *A.B.* granted on the Day of to the said *C.D.*, and an Affidavit of the said *C.D.* that no Proceedings are pending to administer the Estate of the said *A.B.*, this Court doth order that an Account be taken of the Debts and Liabilities affecting the Personal Estate of the said *A.B.*: And in taking such Account Debts are to be distinguished from Liabilities, and Liabilities certain from Liabilities contingent; and the Personal Estate of the said *A.B.* is to be applied in Payment and Satisfaction of such Debts and Liabilities of the said *A.B.* in a due Course of Administration; and any of the Parties are to be at liberty to apply to the Court as there shall be Occasion.

Form of Statutory Writ of Injunction to restrain the Transfer of Stock or Payment of Dividends.

Victoria, &c.

To the Governor and Company of the Bank of Ireland.

We command you, that after the Service of this Writ on you you do not permit the Sum of [*insert Amount and Description of Stock*], now standing in your Books in the Name of [*here state Person or Persons in whose Name or Names the Stock is standing*], to be transferred, or the Dividend that is now due or to accrue due thereon to be paid, until you shall be served with an Order of Our Court of Chancery in Ireland to the contrary, or until this Writ shall be discharged by an Order of Our said Court to be made in any Cause or Matter, or until the Lapse of Eight clear Days after a written Request by the said [*the Person or Persons in whose Name or Names the Stock is standing*], his Executors, Administrators, or Assigns, or some Person on their or his Behalf, to permit such Transfer to be made or Payment received.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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"Judicial Powers" shall mean all Powers and Authorities which may be lawfully exercised by, and all Duties by Law imposed upon, any such Judge in the Trial, Hearing, or Progress of any Cause:

"Ministerial Powers" shall mean all Powers and Authorities which may be lawfully exercised by, and all Duties by Law imposed upon, any such Judge, not included under the Term "Judicial Powers:"

"Sit" or "Sitting" shall mean Sit or Sitting for the Exercise of Judicial Powers, whether in Court or in Chambers.

Tenure of Office of Vice-Admiral.

4. On the Governor of any *British* Possession, who is also Vice-Admiral thereof, vacating the Office of Governor of such Possession, the Office of Vice-Admiral of the same Possession shall thereupon be deemed to be also vacant within the Meaning of the Third Section of the Vice-Admiralty Courts Act, 1863.

Judge may appoint Deputy Judges.

5. The Judge of any Vice-Admiralty Court may from Time to Time, with the Approval in Writing of the Governor of the *British* Possession in which the Court is established, appoint One or more Deputy Judge or Judges to assist or represent him in the Execution of his Judicial Powers.

Judicial Powers of Deputy Judges.

6. It shall be lawful for any such Deputy Judge to exercise all the Judicial Powers of the Judge; and all Acts done by such Deputy Judge shall be as valid and effectual, to all Intents and Purposes, as if they had been done by the Judge; and all Orders or Decrees made by such Deputy Judge shall be subject to the same Right of Appeal in all respects as if they had been made by the Judge.

Deputy Judges may sit separately.

7. Any Deputy Judge may sit at the principal Seat of Government or elsewhere in the Possession at the same Time that the Judge or any other Deputy Judge is sitting, and either at the same or at any other Place in such Possession, and whether the Judge is or is not at that Time within the Possession.

Judge may sit with Deputy Judges.

8. The Judge may, if he thinks fit, require any such Deputy Judge or Judges to sit with him in the same Court, and in such Case the Decision of the Majority, or, if they are equally divided in Opinion, the Decision of the Judge, shall be the Decision of the Court; and such Decision shall be subject to the same Right of Appeal in all respects as if it had been made by the Judge alone.

9. The

Judge to regulate the Proceedings.

9. The Judge may direct at what Place and Time any such Deputy Judge shall sit, and what Causes shall be heard before him, and generally make such Arrangements as to him shall seem proper as to the Division and Despatch of the Business of the Court.

Tenure of Office of Deputy Judges.

10. The Judge may, if he thinks fit, with the Approval in Writing of the Governor, at any Time revoke the Appointment of any such Deputy Judge or Judges, but the Appointment shall not be determined by the Occurrence of a Vacancy in the Office of the Judge.

Judge may delegate Ministerial Powers.

11. The Judge may, if he thinks fit, from Time to Time delegate all or any of his Ministerial Powers to any such Deputy Judge or Judges.

Judge may appoint Deputy Registrars and Marshals.

12. The Judge may from Time to Time, if he thinks fit, appoint any competent Persons to act respectively as Deputy Registrars and Deputy Marshals of the Court, and may, if he thinks fit, at any Time revoke any such Appointment, but the Appointment shall not be determined by the Occurrence of a Vacancy in the Office of the Judge.

Admiralty may revoke Appointments.

13. Notwithstanding anything contained in this Act, it shall be lawful for the Admiralty, if they think fit, at any Time to revoke the Appointment of any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act.

Deputies to receive Fees.

14. Any Deputy Judge, Deputy Registrar, or Deputy Marshal, appointed under this Act, shall be entitled to the same Fees in respect of any Duty performed by him as would be lawfully payable to the Judge, Registrar, or Marshal respectively for the Performance of the same Duty.

Barristers and Solicitors entitled to practise in Vice-Admiralty Courts.

15. All Persons entitled to practise as Advocates, Barristers-at-Law, Proctors, Attorneys-at-Law, or Solicitors in the Superior Courts of a *British* Possession, shall be entitled to practise in the same respective Capacities in the Vice-Admiralty Court or Courts of such Possession, and shall have therein all the Rights and Privileges respectively belonging to Advocates, Barristers-at-Law, Proctors, Attorneys-at-Law, and Solicitors, and shall in like Manner be subject to the Authority of the Person for the Time being lawfully exercising the Office of Judge of such Court.

Her Majesty may establish a Vice-Admiralty Court

16. It shall be lawful for Her Majesty to empower the Admiralty, by Commission under the Great Seal, to establish One or more

in a Possession having Legislative Powers.

more Vice-Admiralty Courts in any *British* Possession, notwithstanding that such Possession may have previously acquired independent Legislative Powers; and the Jurisdiction and Authority of all the existing Vice-Admiralty Courts are hereby declared to be confirmed, to all Intents and Purposes, notwithstanding that the Possession in which any such Court has been established may at the Time of its Establishment have been in possession of Legislative Powers.

Extended to the Straits Settlements.

17. The Vice-Admiralty Courts Act, 1863, shall, together with this Act, apply to any Vice-Admiralty Court now established or hereafter to be established in the *Straits* Settlements.

26 & 27 Vict. c. 24. s. 23. extended to Appeals from Vice-Admiralty Courts in Indian Possessions.

18. The Limitation of the Time allowed for Appeals contained in the Twenty-third Section of the Vice-Admiralty Courts Act, 1863, shall be held to apply to all Decrees or Orders pronounced in any Vice-Admiralty Court now established or hereafter to be established in any of Her Majesty's Possessions in *India*.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLVI.

An Act to amend the Law relating to the Office of County Treasurer in *Ireland*.

[15th *July* 1867.]

WHEREAS it is expedient that Banking Companies should be appointed as Treasurers of Counties in *Ireland*:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. The Words "Lord Lieutenant in Council" mean the Lord Lieutenant or other Chief Governor or Chief Governors of *Ireland* for the Time being acting by and with the Advice of Her Majesty's Privy Council in *Ireland*; and the Word "County" includes County of a City and County of a Town.

Upon Vacancy in Office of Treasurer of County, Grand Jury shall appoint Banking Company as Treasurer.

2. At the Assizes following the next Vacancy in the Office of Treasurer of any County in *Ireland* the Grand Jury of such County shall appoint a Banking Company to act as Treasurer, and shall fix with such Banking Company the Amount of Interest to be allowed for Money from Time to Time lying to the Credit of the County; and any succeeding Grand Jury of such County may accept the

Resignation or revoke the Appointment of any Banking Company, and appoint another such Company as Treasurer.

All Monies payable to Treasurer to be lodged in the Bank appointed Treasurer.

Receipt of Officer of Banking Company to be a Discharge to the Person paying them as Treasurer.

3. From and after such Appointment, all Monies payable to the Treasurer of any County which should be lodged to his Credit in the County Bank of such County shall be paid into the Bank appointed Treasurer for such County; and the Receipt of an Officer for the Time being authorized to give Receipts of any Banking Company acting as Treasurer for any County under this Act, expressing that the Sum therein mentioned has been received by such Banking Company as such Treasurer, shall be a sufficient Discharge to the Party lodging the same.

Payments to be made by Banking Company on Drafts drawn by Secretary of Grand Jury, and countersigned by the Clerk of the Crown;

or by an Order of a Judge of Assize in case of Refusal of these Officers.

4. A Banking Company acting as Treasurer of a County shall pay no Money received by them as such Treasurer, or allowed by them as Interest on Balances to the Credit of such County, except on a Draft payable to a Person named therein or Order, and having endorsed thereon a Receipt expressing the Purpose for which the Amount of the Draft was paid, such Draft to be signed by the Secretary of the Grand Jury of such County, or by such Officer as may lawfully supply his Place during Illness, Absence, or the Vacancy of his Office, and countersigned by the Clerk of the Crown of such County, or by such Officer as may lawfully supply his Place during his Illness, Absence, or the Vacancy of his Office; or upon an Order of a Judge of Assize, in case any of such Officers shall refuse or neglect to sign or countersign a Draft, which in the Opinion of such Judge such Officer might lawfully sign or countersign.

Power to Judge of Assize to make such Order, and to award Costs.

5. Judges of Assize are hereby authorized, upon the Application of any Party interested, and upon hearing the Case in open Court, to make such an Order, and to award Costs against the Party making or against the Officer or Grand Jury opposing such Application.

Banking Company to keep Accounts of Receipts and Payments, classified as ordered by Auditor of County Treasurer's Accounts.

6. A Banking Company acting as Treasurer of a County shall keep the Accounts of Receipts and Payments classified in such Manner as may be ordered by the Auditor of the County Treasurer's Accounts appointed under Statute First *Victoria*, Chapter Fifty-four, for the Time being, and shall forward a Copy of such Accounts to the Secretary of the Grand Jury of such County from Time to Time as such Secretary shall require, and shall at the First Day of each Assizes present to the Grand Jury a complete Copy in Duplicate of such Accounts up to but not inclusive of such First Day.

7. Whilst

Other Duties, except actual Receipts and Payments, and Accounts thereof, to devolve on Secretary of Grand Jury.

7. Whilst a Banking Company is acting as Treasurer of any County, all the Duties which devolve on the Office of Treasurer, except the actual Receipt and Payment of Money, and the keeping Accounts of such Receipts and Payments, as herein-before provided, shall devolve on the Secretary of the Grand Jury, and he shall keep all such Accounts of Balances outstanding, and of Presentments not claimed, and other Accounts, and shall do all such other Acts as shall be obligatory on a Treasurer other than a Banking Company to do.

Statutory Provisions as to Payments obligatory on Treasurer shall not apply to a Bank acting as Treasurer, but shall make it obligatory on Secretary to sign Drafts.

8. All Statutable Provisions making it obligatory on the Treasurer of a County to pay Money shall not apply to a Bank acting as Treasurer, but shall apply to the Secretary of a Grand Jury of such County, and shall make it obligatory on him to sign Drafts for the Payment of Money, and on the Clerk of the Crown to countersign such Drafts, if such Payments are duly authorized by the Statute under which they are demanded; provided that the Secretary of the Grand Jury or Clerk of the Crown may postpone the signing or countersigning of any Draft, with a view to bring a Question of Fact as to the Amount claimed before the Grand Jury at the next Assizes, or a Question of Law before the Judge of Assize at such next Assizes.

Grand Jury may dispense with Security in the Case of a Banking Company being Treasurer.

9. A Grand Jury may, on appointing a Banking Company as Treasurer, entirely dispense with Security from such Company, or require such lesser Security than what would be required from a Treasurer if not a Banking Company as the Grand Jury shall determine.

In case a Banking Company stops Payment, &c., the Court of Chancery may restrain its acting as Treasurer, and appoint another Banking Company till next Assizes.

10. In case any Banking Company, while acting as Treasurer of any County shall stop Payment, or in case any Step shall be taken for winding up the Company, or transferring its Business to another Banking Company, the Secretary of the Grand Jury of such County shall apply to the Court of Chancery for an Injunction to restrain such Banking Company from further acting as Treasurer until the next Assizes, which Order and Injunction the Court is empowered to make; and the Secretary of the Grand Jury may, with the Sanction of the Court of Chancery, take such Proceedings, in the Name of the Secretary of the Grand Jury and Clerk of the Crown for the Time being, as Trustees on behalf of the County, as may be necessary, against a Banking Company so removed by Injunction, to secure an Account and recover any Balance in their Hands, and the Costs of such Proceedings properly and necessarily incurred shall be chargeable in like Manner as the Costs of Law Proceedings by Direction of the Grand Jury.

11. The

Powers of Lord Lieutenant in Council extended to fix Security to be given by Secretary of Grand Jury when Banking Company Treasurer, and also Increase of Salary of Secretary of Grand Jury for Increase of Duty.

11. The Powers of the Lord Lieutenant in Council under Statute First *Victoria*, Chapter Fifty-four, shall extend to the following Matters:

1st. To fix the Nature and Amount of Security to be given by the Secretary of the Grand Jury in each County where a Banking Company is nominated or appointed Treasurer;

2nd. Upon the Petition of the Secretary of a Grand Jury of any County where a Banking Company is appointed Treasurer, and a Report of the Grand Jury of such County thereon, to appoint the Increase of Salary to be made to such Secretary, in consideration of the Increase of the Duties imposed on him by this Act; and the Lord Lieutenant in Council may, in estimating the Increase of Salary to be allowed, take into consideration any other Changes in the Office of Secretary of a Grand Jury made or to be made since the Salaries of those Officers were fixed by Statute Sixth and Seventh *William* the Fourth, Chapter One hundred and sixteen; and all Increase of Salary under this Clause shall continue until further Order of the Lord Lieutenant in Council, and shall be payable in like Manner as the Salary of the said Officer is now payable; provided that no Increase of Salary of the Secretary of any County under this Clause shall exceed One Third of the Salary fixed for the Treasurer of such County by Statute Sixth and Seventh *William* the Fourth, Chapter One hundred and sixteen, or Statute Seventh *William* the Fourth and First *Victoria*, Chapter Two.

6 & 7 W. 4. c. 116. s. 110.

Grand Jury to regulate Amount to be paid for Expenses of Applotment of County Cess.

12. It shall be lawful for the Grand Jury in any County where a Banking Company acts as Treasurer to appoint a fixed Sum to be paid to the Secretary of the Grand Jury for the Expenses of the Applotment of the County Cess as regulated by Statute Nineteenth and Twentieth *Victoria*, Chapter Sixty-three, Section Five, and beyond such fixed Sum such Secretary shall have no Claim for Expenses incurred under that Act.

Emoluments attached to the Office of Treasurer to revert to Benefit of the County when Banking Company appointed Treasurer.

13. The Emoluments now attached to the Office of Treasurer of a County shall, on the Appointment of a Banking Company as Treasurer of such County, revert to the Benefit of the County, and neither the Banking Company nor the Secretary of the Grand Jury shall receive any Part of such Emoluments, nor shall the Secretary of the Grand Jury be entitled to receive any Payment for any Duty of Treasurer devolving on him under this Act, save such as provided for in the preceding Sections.

Grand Jury may nominate beforehand a

14. A Grand Jury may nominate in anticipation a Banking Company to act as temporary Treasurer between the Occurrence

of

of the next Vacancy in the Office of Treasurer and the Appointment of a Treasurer by the Grand Jury; and in case the Grand Jury of any County omit to make such Nomination, the Secretary of the Grand Jury of such County, immediately upon a Vacancy in the Office of Treasurer of such County occurring, shall apply in a summary Way to the Lord Chancellor to appoint a Banking Company to act as temporary Treasurer until a Treasurer is appointed by the Grand Jury; and the previous Nomination of the Grand Jury of such County, or the Order of the Lord Chancellor, as the Case may be, shall constitute the Banking Company named therein Treasurer of such County.

Banking Company to act as temporary Treasurer between Vacancy and Appointment by Grand Jury.

In default, Lord Chancellor may appoint temporary Treasurer.

15. The Treasurer of a County or the Secretary of a Grand Jury may, during temporary Illness or unavoidable Absence, appoint any Person, approved of by the Lord Lieutenant, to act as Deputy, for whom such Treasurer or Secretary respectively shall be responsible. Every such Appointment, and the Period during which the Deputy acted, shall be notified to the Grand Jury of the County at the next Assizes; and such Power to appoint a Deputy shall not authorize any joint Tenure of the Office of Treasurer or Secretary, nor shall such Deputy continue to act after the meeting of the Grand Jury, unless with the Sanction of that Body.

The Treasurer or Secretary may during Illness or Absence appoint a Deputy, approved of by Lord Lieutenant.

16. From and after the passing of this Act, the Power of Magistrates to elect a County Treasurer for any County in *Ireland* shall cease and determine.

Magistrates Power of electing Treasurer to cease.

17. Any County Treasurer may present a Memorial to the Lord Lieutenant in Council, offering to resign, in order to facilitate the Abolition of his Office, or asking for Superannuation; and the Lord Lieutenant in Council is hereby authorized to make an Order, charging, in like Manner as the Treasurer's Salary is now charged, Compensation for the Abolition of his Office, or Superannuation, not exceeding Two Thirds of the Salary and Emoluments of such Treasurer, as fixed by Statutes Sixth and Seventh *William* the Fourth, Chapter One hundred and sixteen, and First *Victoria*, Chapter Fifty-four, or by Statute Sixth and Seventh *William* the Fourth, Chapter One hundred and sixteen, such Compensation or Superannuation to be chargeable and payable in like Manner in all respects as such Treasurer's Salary is now chargeable and payable; and in estimating the Compensation or Superannuation to be awarded the Lord Lieutenant in Council shall observe the like Rules, and may exercise the like Discretion, as the Lords Commissioners of Her Majesty's Treasury are required to observe, and may exercise, in respect of Compensations and Superannuations granted under the General Superannuation Act, 1859.

Provision for County Treasurers' resigning, and obtaining up to Two Thirds of their Salary as Compensation for Abolition of Office or as Superannuation.

18. This

Act extends to all Counties except Dublin, Dublin City, Cork City, and Limerick City.

18. This Act shall extend to all Counties in *Ireland*, except *Dublin*, and to all Counties of Cities and of Towns in *Ireland*, except *Dublin*, *Cork*, and *Limerick*.

Treasurers Oath not required from Banking Companies.

19. The Provisions of Statute Fourth *George* the Fourth, Chapter Thirty-three, Section Fourteen, as to the Treasurers Oath, shall not apply to Banking Companies appointed Treasurers.

Provisions of 1 Vict. c. 54. and 1 & 2 Vict. c. 53. for Audit to extend to other Accounts.

20. The Provisions of Statute First *Victoria*, Chapter Fifty-four, and First and Second *Victoria*, Chapter Fifty-three, shall extend to all Accounts kept by Secretaries of Grand Juries or Banking Companies under the Provisions of this Act.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLVII.

An Act to amend the Companies Act, 1862, and also the Act passed in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, intituled *An Act to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments.*

[15th *July* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Sect. 114. of 25 & 26 Vict. c. 89. repealed.

1. The One hundred and fourteenth Section of the Companies Act, 1862, shall be, and the same from and after the passing of this Act is, hereby repealed.

Court may order the vacating of Registration of Lis pendens, &c.

2. Whereas a registered Lis pendens cannot be vacated without the Consent of the Person by whom it was registered, and such Consent is sometimes withheld, although the Suit or Proceeding is at an end, or is not being *bonâ fide* prosecuted: For Remedy whereof

Lis pendens.

whereof be it enacted, That the Court before whom the Property sought to be bound is in Litigation may, upon the Determination of the Lis pendens, or during the Pendency thereof, where the Court shall be satisfied that the Litigation is not prosecuted *bonâ fide*, make an Order, if it shall see fit, for the vacating of the Registration without the Consent of the Party who registered it, and may, in the Discretion of the Court, direct the Party on whose Behalf the Registration was made to pay all the Costs and Expenses occasioned by the Registration or the vacating thereof. The Application to the Court pending the Litigation may be in a summary Way by Petition or Motion in Court, or by Summons at Chambers; and if an Order shall be made for vacating any such Registration, the Senior Master of the Common Pleas at *Westminster* shall, upon the filing with him of an Office Copy of such Order, enter a Discharge of such Lis pendens on the Register, and shall be entitled for every such Entry of Discharge to the Sum of Two Shillings and Sixpence, and no more, and may issue Certificates of such Entry, and may charge for every such Certificate the Sum of One Shilling, which said Sums shall be collected by Stamps in the Manner and according to the Provisions of an Act passed in the Session of Parliament holden in the Twenty-eighth and Twenty-ninth Years of Her Majesty, intituled *An Act to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at* Westminster, *and in the Offices belonging thereto*, and as if this Act had been included in the First Schedule of the said Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLVIII.

An Act for amending the Law of Auctions of Estates. [15th *July* 1867.]

BE it enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited for all Purposes as the "Sale of Land by Auction Act, 1867."

Commencement of Act.

2. This Act shall commence and take effect on the First Day of *August* 1867.

Interpretation of Terms.

3. "Auctioneer" shall mean any Person selling by Public Auction any Land, whether in Lots or otherwise :

"Land" shall mean any Interest in any Messuages, Lands, Tenements, or Hereditaments of whatever Tenure :

"Agent" shall mean the Solicitor, Steward, or Land Agent of the Seller :

"Puffer" shall mean a Person appointed to bid on the Part of the Owner.

4. And

Sale of Land by Auction.

Where Sales are invalid in Law to be also invalid in Equity.

4. And whereas there is at present a Conflict between Her Majesty's Courts of Law and Equity in respect of the Validity of Sales by Auction of Land where a Puffer has bid, although no Right of bidding on behalf of the Owner was reserved, the Courts of Law holding that all such Sales are absolutely illegal, and the Courts of Equity under some Circumstances giving effect to them, but even in Courts of Equity the Rule is unsettled: And whereas it is expedient that an End should be put to such conflicting and unsettled Opinions: Be it therefore enacted, That from and after the passing of this Act whenever a Sale by Auction of Land would be invalid at Law by reason of the Employment of a Puffer, the same shall be deemed invalid in Equity as well as at Law.

Rule respecting Sale without Reserve, &c.

5. And whereas as Sales of Land by Auction are now conducted many of such Sales are illegal, and could not be enforced against an unwilling Purchaser, and it is expedient for the Safety of both Seller and Purchaser that such Sales should be so conducted as to be binding on both Parties: Be it therefore enacted by the Authority aforesaid as follows: That the Particulars or Conditions of Sale by Auction of any Land shall state whether such Land will be sold without Reserve, or subject to a reserved Price, or whether a Right to bid is reserved; if it is stated that such Land will be sold without Reserve, or to that Effect, then it shall not be lawful for the Seller to employ any Person to bid at such Sale, or for the Auctioneer to take knowingly any Bidding from any such Person.

Rule respecting Sale subject to Right of Seller to bid as he may think proper.

6. And where any Sale by Auction of Land is declared either in the Particulars or Conditions of such Sale to be subject to a Right for the Seller to bid, it shall be lawful for the Seller or any One Person on his Behalf to bid at such Auction in such Manner as he may think proper.

Practice of opening Biddings, by Order of Chancery, except on Ground of Fraud, to be discontinued.

7. And whereas it is the long settled Practice of Courts of Equity in Sales by Auction of Land under their Authority to open Biddings even more than once, and much Inconvenience has arisen from such Practice, and it is expedient that the Courts of Equity should no longer have the Power to open Biddings after Sales by Auction of Land under their Authority: Be it further enacted by the Authority aforesaid, That the Practice of opening the Biddings on any Sale by Auction of Land under or by virtue of any Order of the High Court of Chancery shall, from and after the Time appointed for the Commencement of this Act, be discontinued, and the highest *bonâ fide* Bidder at such Sale, provided he shall have bid a Sum equal to or higher than the reserved Price (if any), shall be declared and allowed the Purchaser, unless the Court or Judge

Judge shall, on the Ground of Fraud or improper Conduct in the Management of the Sale, upon the Application of any Person interested in the Land (such Application to be made to the Court or Judge before the Chief Clerk's Certificate of the Result of the Sale shall have become binding), either open the Biddings, holding such Bidder bound by his Bidding, or discharge him from being the Purchaser, and order the Land to be resold upon such Terms as to Costs or otherwise as the Court or Judge shall think fit.

Court of Chancery, &c. in other respects excepted from Operation of Act.

8. Except as aforesaid, nothing in this Act contained shall affect any Sale of Land made under or by virtue of any Order of the High Court of Chancery in *England*, of the High Court of Chancery in *Ireland*, or of the Landed Estates Court there, or of the Court of Chancery in the County Palatine of *Lancaster*, or of any County or other Court having Jurisdiction in Equity.

Not to extend to Scotland.

9. This Act shall not extend to *Scotland*.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLIX.

An Act to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the District of *Halifax;* and for other Purposes relative to the said District under that Act.

[15th *July* 1867.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made a certain Provisional Order relating to the District and Borough of *Halifax* in the County of *York* which is contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Order shall be of any Validity whatever until it shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed, and other Provisions made in relation to the aforesaid District of *Halifax:*

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Confirmation of Provisional Order relative to Halifax.

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as it is authorized by the Local Government Act, 1858, and the Acts incorporated therewith, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Local Board to complete Street Improvement (Q) in the Schedule to Order.

2. The Local Board for the said District and Borough of *Halifax* shall and they are hereby required, within the Space of Eighteen Months from the Date of the Act confirming the said Order, to make, construct, and complete the Street Improvement (Q) in the Schedule to the said Order annexed, and according to the Plan produced before and signed by *Arnold Taylor* Esquire, the Inspector, and attached to his Report addressed to the Secretary of State for the Home Department, the said Street Improvement to include the Road coloured Blue and Lilac on such Plan, and also so much only of the Road coloured Pink upon the said Plan as lies West of the said Road coloured Blue and Lilac, and extending therefrom to *New Bank;* and in the Construction of the said Road the said Local Board may and they are hereby authorized to deviate laterally to the Extent of not exceeding Fifty Feet from the Street Line shown on the said Plan with respect to the Lands coloured Pink, and numbered thereon 13 to 24, both inclusive.

Thereupon Sect. 56 of 28 & 29 Vict. c. cxl. repealed.

3. Upon the Construction of the said Street Improvement as above described the Fifty-sixth Section of "the *Halifax* Extension and Improvement Act, 1865," shall be taken to be repealed, and shall be repealed accordingly.

Sect. 98 of said Act applied to all Street Improvements.

4. The Powers conferred by and the Provisions of Section 98 of the "*Halifax* Extension and Improvement Act, 1865," shall, from and after the passing of this Act, apply to all duly authorized Street Improvements within the said Borough and District of *Halifax*.

Period for compulsory Purchase of Lands.

5. The Powers for the compulsory Purchase of Lands for the Purposes of the Street Improvement authorized by the said Order herein-before referred to may be exercised until after the Expiration of Seven Years from the Date of the passing of the Act confirming such Order, save and except for the Purchase of the Lands comprised in Street Improvement (Q), which the said Local Board have undertaken and are required to complete within Eighteen Months from the passing of this Act.

This Act and Local Government Act, 1858, to be as One.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

7. In

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867," (No. 3.) Short Title.

SCHE-

SCHEDULE containing the Provisional Order referred to in the preceding Act.

HALIFAX.

Provisional Order putting in force The Lands Clauses Consolidation Act, 1845, within the District of the Halifax Local Board of Health, for the Purchase of Land by the said Board for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Halifax in the county of York, by the Council of the said Borough, being the Local Board of Health in and for the district of the said Borough to which The Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by "The Public Health Supplemental Act, 1851," (No. 3,) have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said Borough, such land and buildings being all situate within the District of the said Local Board of Health:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said district, and the said Inspector has now inquired, in the district aforesaid, into the subject matter of such Petition, and has duly reported thereo n

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,

1.—The Mayor, Aldermen, and Burgesses of the Borough of Halifax, by the Council of the said Borough, being the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-fourth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following. The Plans herein-after mentioned are those referred to and described in the Petition to the Secretary of State, and which were during the period required by Statute deposited for local inspection at the Office of the Town Clerk, Halifax, and were further sealed with the Halifax Corporate Seal.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
		PART (A.)	
		NEW STREET FROM PELLON LANE TO GREEN LANE, AND GREEN LANE IMPROVEMENT.	
		Plan on Sheets Nos. 1 and 2, and Section of Street from Pellon Lane to Green Lane on Sheet No. 12.	
Private Road - -	1	Henry Oates, - - James Holroyd Oates, and William Henry Thompson.	Henry Oates, James Holroyd Oates, and William Henry Thompson.
Pasture Field - -	2	John Gott and Thomas Adam.	William Smith.
Buildings and Rope Walk	3	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	Thomas Mooney.
Vacant Land - -	4	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Vacant Land - -	5	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Land and Quarries -	6	John Gott and Thomas Adam.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Land and Quarry -	7	John Crossley and Sons (Limited).	John Smith.
Cottage, Outbuildings, Workshop, and Conveniences.	8	John Crossley and Sons (Limited).	John Smith and Amos Speight.
Cottage, Outbuildings, and Conveniences.	9	John Crossley and Sons (Limited).	Amos Speight.
Land - - -	10	John Crossley and Sons (Limited).	John Smith.
Land and Quarry -	11	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
		PART (B.)	
		MCKNIGHT'S BUILDINGS IMPROVEMENT.	
		Sheet 3.	
Dwelling House - -	12	Thomas Sutcliffe - -	Elimas Kelly, Hudson Lister.
Dwelling House - -	13	Mary Gill - - -	Samuel Wood.
Wall and Yard - -	14	Mary Gill - - -	Samuel Wood.
Private Road - -	15	Mary McKnight, - - Richard Whitaker, John Taylor, and Henry Taylor.	Hannah Hanson, John Bates, Alfred Thomas Metcalfe, Abraham Stansfield, Edward Greenwood, George Pickles, Samuel Lumb, Samuel Mitchell, John Culpan, John Thomas, Joseph Woodhead, Richard Whitaker, Joseph Hoyle, Edmund Oldfield, Benjamin Collins, William Wade.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
		PART (C.)	
		North Bridge Improvement.	
		Sheet 3.	
Garden and Wall - -	16	Dickinson Edleston and Robert Edleston.	Richard Whitaker, John Bowker.
Public Highway -	17	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	
Yard or Vacant Land -	18	Samuel Bold Tillotson -	Thomas Taylor.
House and Shop - -	19	Samuel Bold Tillotson -	Thomas Taylor and William Mitchell.
House and Shop - -	20	Samuel Bold Tillotson -	William Mitchell and George Kershaw.
House and Shop - -	21	Samuel Bold Tillotson -	John Sutcliffe, William Mitchell.
Public Road - -	22	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Dye Works - -	23	Edward Akroyd - -	Ehud Hanson.
Dye Works - - -	24	Edward Akroyd - -	Ehud Hanson.
Stream - - -	25	Dickinson Edleston and Robert Edleston.	
Dye Works and Yard -	26	Dickinson Edleston and Robert Edleston.	Ehud Hanson.
Dye Works and Yard -	27	Dickinson Edleston and Robert Edleston.	Ehud Hanson.
		Partly in the Township of Halifax and partly in the Township of Northowram.	
Half the Bed of the Hebble Brook.	28	Dickinson Edleston and Robert Edleston.	Dickinson Edleston and Robert Edleston.
The North Bridge -	29	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	
		In the Township of Northowram.	
Land and Railway Works and Half Stream called the Hebble.	30	Halifax and Ovenden Junction Railway Company.	Halifax and Ovendon Junction Railway Company.
Land - - -	31	George Watkinson - -	John Berry.
		PART (D.)	
		Park Road Improvement.	
		Sheet 3.	
Beerhouse and Gallery -	32	Joseph Drake, senior -	Joseph Drake, senior.
House and Shop -	33	Joseph Drake, senior -	Samson Clay.
Cottage - - -	34	Anthony Bancroft - -	Jonas Mitchell and Mary Kitchen.
		PART (E.)	
		New Bank Improvement.	
		Sheet 3.	
Greengrocer's Shop -	35	Hannah Barraclough and James Barraclough.	Simeon Townsend, George Gath.
Shops and Foundry Shed	36	Hannah Barraclough and James Barraclough.	Michael Booth, John Berry, and Kenyon Feather.
Shops and Foundry Shed	37	Hannah Barraclough and James Barraclough.	John Berry, Alfred Clay, Matthew Moorhouse, Thomas Robinson.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Yard	38	Hannah Barraclough and James Barraclough.	John Berry.
Foundry and Yard	39	Hannah Barraclough and James Barraclough.	Charles Crossley, Charles Crossley, junior, John Thomas Crossley, and Walter Edwin Crossley.
Garden	40	Hannah Barraclough and James Barraclough.	Charles Crossley, Charles Crossley, junior, John Thomas Crossley, and Walter Edwin Crossley.
Shops	41	Joseph Horner	James Walker and Isaac Hanson.
Beerhouse	42	Joseph Horner	James Walker.
Shop and Dwelling House	43	Daniel Bancroft	Daniel Bancroft.
Shop and Dwelling House and Cellar Cottage.	44	James Stocks	William Holdsworth, Jane Goodall.
Shop and Dwelling House	45	James Stocks	James Priestley.
Shop and Dwelling House	46	James Stocks	John Holroyd.
Yard	47	Hannah Barraclough and James Barraclough.	John Berry.
Dwelling House and Conveniences.	48	Hannah Barraclough and James Barraclough.	John Berry, Thomas Berry.
Shop and Dwelling House	49	Hannah Barraclough and James Barraclough.	Edwin Brearley.
Privy and Ashplace	50	John Firth and Samuel Firth.	Thomas Hirst, Thomas Scott, Joseph Jowett, John Berry, James Whipp, Robert Coe, Thomas Wilson.
Shop and Cottage	51	John Firth and Samuel Firth.	Thomas Hirst and James Whipp.
Cottage	52	John Firth and Samuel Firth.	John Berry.
Cottage	53	John Firth and Samuel Firth.	Robert Coe.
Cottage	54	John Firth and Samuel Firth.	Thomas Wilson.
Cottage and Chamber over.	55	John Firth and Samuel Firth.	Thomas Scott and Joseph Jowett.
Yard, Steps, Privy, and Ashes-place.	56	Mary Fairclough	John Walker, Thomas Pickles, John Walker, John Hallinson, Thomas Myers, John Crawshaw, Ruth Burton, Charles Crossley.
Yard, Steps, Privy, and Ashes-place.	57	William Smith (Executor and Trustee of Matthew White Booth, deceased).	Thomas Bullar, William King, Joseph Pollard, Joseph Milner, Jane Lightowler, Isaac Townsend, Sarah Firth.
Yard and Steps	58	Edward Rawnsley	William Pickles, John Scott, Isaac Holroyd, Henry Jackson, James Rhodes, Thomas Brearley.
Steps and Passage	59	Mary Fairclough	David Wadsworth, William Barker, Abraham Holroyd, John Broadbent, Elijah Mitchell.
Yard	60	William Smith	Joseph Pollard and Sarah Firth.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Coal-place and Stable -	61	John Haigh Fuller and John Hodgson Wright.	John Hanson.
Coal-place and Stable -	62	John Haigh Fuller and John Hodgson Wright.	John Hanson.
Cottage - - -	63	John Haigh Fuller and John Hodgson Wright.	John Toothill.
Cottage - - -	64	John Haigh Fuller and John Hodgson Wright.	Samuel Brown.
Cottage - - -	65	John Haigh Fuller and John Hodgson Wright.	Samuel Brown.
Privy, Ashes-place, and Steps.	66	Edward Rawnsley - -	Hiram Lord, Francis Swift, Richard Ingham, John Holdsworth, James Holmes, Sarah Rhodes, Thomas Brearley, James Rhodes, Henry Jackson, Isaac Holroyd, John Scott, William Pickles.
Cottage - -	67	Edward Rawnsley - -	Hiram Lord.
Cottage - - -	68	Edward Rawnsley - -	Francis Swift.
Cottage - -	69	Edward Rawnsley - -	Richard Ingham.

PART (F.)

RANGE BANK IMPROVEMENT.

Sheet 3.

Beerhouse and Yard -	70	John Price - - -	Alfred Lupton, James Charnock, John Foster, and William Hirst.
Cellar or Outbuilding -	71	John Price - - -	Alfred Lupton, James Charnock, John Foster, and William Hirst.
Pasture Field - -	72	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Private Road - -	73	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Wall and Yard - -	74	Joseph Senior - -	Jeremiah Crook, Susannah Johnson, John Bottomley, James McCormack, Samuel Jackson, Samuel Hooson, Thomas Townsend.
Pasture Field - -	75	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Plantation - -	76	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.

SPRING FIELD IMPROVEMENT.

Sheet 3.

Fence Wall - -	77	William Thomas and William Craven, or one of them.	——

PART (H.)

LOWER HOPE STREET IMPROVEMENT.

Sheet 5.

Passage - -	86	James Crowther - -	John Wilcock,
		(Trustee for John Dewhirst, deceased,) and	Mark Wilcock,
		George Craven.	Martha Thompson,
(*Continued.*)			John Cordingley,

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
(*Continued.*)			William Wilcock, William Hanson, William Watson, Samuel Smith, Thomas Gaukroger.
Garden	87	George Craven	John Wilcock.
Garden	88	George Craven	Mark Wilcock.
Garden	89	George Craven	Martha Thompson.
Garden	90	George Craven	John Cordingley.
Garden	91	George Craven	William Wilcock.
Garden	92	George Craven	William Hanson.
Garden	93	James Crowther (Trustee for John Dewhirst, deceased).	William Watson.
Garden	94	James Crowther (Trustee for John Dewhirst, deceased).	Samuel Smith.
Garden	95	James Crowther (Trustee for John Dewhirst, deceased).	Thomas Gaukroger.
Garden, Privy, and Ash-pit.	96	Ann Stancliffe	James Greenwood.
Garden, Privy, and Ash-pit.	97	Ann Stancliffe	John Dearden.
Garden, Privy, and Ash-pit.	98	Ann Stancliffe	Edwin Royston.
Garden, Privy, and Ash-pit.	99	Ann Stancliffe	Thomas Grayston.
Garden, Privy, and Ash-pit.	100	Jabez Bunting Farrar	Squire Eastwood.
Garden	101	James Bairstow Ann Shields, Mary Hannah Ellison, Elizabeth Chappell.	James Bairstow.

PART (I.)

HOPWOOD LANE IMPROVEMENT.

Sheet 5.

House and School	102	Joseph Keighley James Loutit, William Mewburn, Thomas Mitchell, George Patchett, James Thomas, James Russell.	George Brearley and Frank Schofield.
Wash Kitchen and Yard	103	Mary Bairstow	Albert Kenyon and Henry Horsfall.
Garden	104	Mary Bairstow	John Riley.
Garden	105	Elizabeth Bland	Elizabeth Bland.
Dwelling House	106	Elizabeth Bland	Mary Hannah Booth.
Passage	107	Elizabeth Bland	Mary Ann Robinson, George Washington, George Davenport, Joseph Ogden, John Robertson, John Bedford.
Coal-place and Wash Kitchen.	108	Elizabeth Bland	Sidney Smith, Mary Ann Robinson, George Washington, George Davenport, Joseph Ogden, John Robertson, John Bedford.
Dwelling House	109	Elizabeth Bland	Sidney Smith.
Dwelling House	110	Elizabeth Bland	John Hall.
Passage	111	Elizabeth Bland	Thomas Walker and Joseph Blakey Spencer.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Warehouse and Paint Shop.	112	Elizabeth Bland - -	James Thomas, Richard Robert Thomas, and James Briggs.
Yard - - -	113	John Richard Ingram and George Baines.	John Crossley and John Ingham.
Yard - - -	114	John Richard Ingram and George Baines.	John Crossley and John Ingham.
Garden - - -	115	John Richard Ingram and George Baines.	John Richard Ingram and George Baines.
Garden - - -	116	John Richard Ingram and George Baines.	John Crossley and John Ingham.
Beerhouse - - -	117	Mary Ann Sunderland -	Job Aspinall, William Aspinall, Dan Sutcliffe.
Shop - - -	118	Mary Ann Sunderland -	Thomas Moorhouse.
Shop - - -	119	Mary Ann Sunderland -	George Walker.
Yard - - -	120	Mary Ann Sunderland -	Thomas Moorhouse and John Dickson.
Stable - - -	121	Mary Ann Sunderland -	John Dickson.
Shop and Warehouse -	122	Ann Horsfall - -	William John Horsfal.
Shop - - - -	123	The Governors of the United Charities of Nathaniel Waterhouse.	Eagland Bray.

PART (J.)

BULL GREEN IMPROVEMENT.

Sheet 5.

The White Hart Inn	124	Thomas Longbottom -	Allen Midwood.
Stable and Yard -	125	Thomas Longbottom -	Allen Midwood.
Dwelling House and Workshop.	126	Christopher Taylor Rigge -	Samuel Pickles and Sidney Rawnsley.
Stable and Yard -	127	William Garlick - -	Jonathan Shaw.
Urinal and Land -	128	The Mayor, Aldermen, and Burgesses of the Borough of Halifax as the Halifax Local Board of Health.	
Ashes-place and Midden-stead.	129	William Garlick - -	Herbert Shepherd, Samuel Benson, George Hagan, Mary Hanson, William Henry Crapper.
Yard - - -	130	William Garlick - -	John Wood, Betty Pickering, Joseph Cooper, John Bottomley, John Wright, John Holroyd, Ann Trotter, Thomas Hartley, William Mallinson, Peter Pickering, Thomas Lees, Herbert Shepherd, Samuel Benson, George Hagan, Mary Hanson, William Henry Crapper.
Outbuilding - -	131	William Garlick - -	Samuel Benson, George Hagan, Herbert Shepherd.
Dwelling House - -	132	William Garlick - -	John Wood and Betty Roberts.
Dwelling House - -	133	William Garlick - -	John Wood.
Dwelling House - -	134	William Garlick - -	Herbert Shepherd.
Dwelling House - -	135	William Garlick - -	Samuel Benson.
Cottage - -	136	William Garlick - -	Ann Trotter.
Dwelling House and Shop.	137	William Garlick - -	William Mallinson and Joseph Dennis.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Privy and Ashes-place	138	William Garlick	Edward Shoesmith, Alfred Hobson, Benjamin Crapper, James Thackrah, Catherine Carter.
Stable and Pigstye	139	William Garlick	Edward Shoesmith.
Yard	140	William Garlick	Edward Shoesmith, Alfred Hobson.
Warehouse	141	William Garlick	Alfred Hobson.
Cottage	142	William Garlick	Benjamin Crapper.
Warehouse	143	William Garlick	Thomas Rigby.
Cottage	144	William Garlick	James Clegg.
Cottage	145	William Garlick	Edward Shoesmith.
Shop and Dwelling House	146	William Garlick	Edward Shoesmith.
Passage	147	William Garlick	Edward Shoesmith, Alfred Hobson, Benjamin Crapper, James Thackrah, Catherine Carter.
Cottage	148	William Garlick	Alfred Hobson.
Cottage	149	William Garlick	James Thackrah.
Cottage	150	William Garlick	Catherine Carter.
Cottage	151	William Garlick	Caroline Smith and Charles Whiteley.
Cottage and vacant Land	152	William Garlick	Caroline Smith, Charles Whiteley, and Thomas Hartley.
Cottage	153	William Garlick	Thomas Hartley.
Dwelling House	154	William Garlick	Joseph Wright.
Dwelling House	155	William Garlick	John Bottomley.
Dwelling House	156	William Garlick	Joseph Cooper.
Cottage	157	William Garlick	Charles Whiteley.
Blacksmith's Shop	158	William Garlick	Joseph Cooper.
Dwelling House	159	William Garlick	Mary Hanson.
Dwelling House	160	William Garlick	William Henry Crapper.
Dwelling House	161	William Garlick	George Hagan.
Warehouse	162	John Pulman	Joseph Sugden.
The Golden Plough Inn, Yard, and Outbuildings.	163	Dickinson Edleston and Robert Edleston.	John Braithwaite.
Dwelling House and Shop	164	Hanson Freeman and Thomas Theodore Ormerod.	John Archer.
Dwelling House and Shop	165	Hanson Freeman and Thomas Theodore Ormerod.	John Wilson.
Beerhouse	166	Hanson Freeman and Thomas Theodore Ormerod.	Michael Stocks, William Whitworth.
Yard	167	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Pigstye	168	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Bakehouse	169	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Plantation and Road	170	Hanson Freeman and Thomas Theodore Ormerod.	Thomas Hill.
Stable	171	Hanson Freeman and Thomas Theodore Ormerod.	Thomas Pearson.
Privy and Ashpit	172	Charles Peel	Arthur Whitaker, James Mann, Edward Spencer, James Tiffany, Thomas Lobley, Henry King,
Garden	173	Charles Peel	Edward Spencer and James Tiffany.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Shop - - -	174	Joseph Vickerman - -	Edwin Peel.
Garden and Yard -	175	Joseph Vickerman - -	Christiana Metcalfe.
Garden and Yard -	176	Joseph Vickerman - -	Martha Mallinson.
Garden - - - -	177	William Denton - -	Harriet Eliza Smith.
Garden - - -	178	William Denton - -	Amos Rushworth.
Passage - - - -	179	William Denton - -	Harriet Eliza Smith, Amos Rushworth, Ann Greenwood, William Richardson, William Leigh, James Wild, Ellen Walker, James Brearley, Joseph McAcy, Sarah Howarth, Elizabeth Fidler.
Garden - - - -	180	William Denton - -	Sarah Howarth.
Garden - - -	181	William Denton - -	Elizabeth Fidler.
Dwelling House -	182	John William Balme and John Pritchard.	Joseph Savile Stott.
Garden - - -	183	John William Balme and John Pritchard.	Joseph Savile Stott.
Road - - -	184	John William Balme and John Pritchard.	Joseph Savile Stott, John William Balme, and John Pritchard.
Garden and Summer House.	185	John William Balme and John Pritchard.	Joseph Savile Stott.

PART (K.)

SADDLE INN AND RUSSEL STREET IMPROVEMENTS.

Sheet 6.

Dwelling House and Cellar Cottage.	186	George Armitage - -	James Lister, Stephen Gledhill, and John Riley.
Shop and Dwelling House	187	Thomas Spencer - -	John Rawson.
Shop and Dwelling House	188	Thomas Spencer - -	John Naylor.
Shop and Dwelling House	189	Thomas Spencer - -	Hannah Elizabeth Davison.
Passage - - -	190	Jonathan Knowles - -	Hannah Elizabeth Davison, Stephen Gledhill, Samuel Hanson, John Rawson, and John Naylor.
Shop - - -	191	Jonathan Knowles - -	Stephen Gledhill.
Shop - - -	192	Jonathan Knowles - -	Paul Greenwood.
Public House called "The Saddle Inn."	193	Jonathan Knowles - -	Hanson Brierley and Abraham Wharton.
Shop - - -	194	Jonathan Knowles - -	Samuel Womersley.

PART (L.)

SQUARE ROAD IMPROVEMENT.

Sheet 6.

Shop and Dwelling House	195	Sir John Selwin, Bart. -	William Shoebridge.
Wool Warehouse, Yard, Cellar, and Steps.	196	Sir John Selwin, Bart. -	Samuel Whitaker, Walter Broadhead, William Sunderland.
Yard and Steps -	197	Sir John Selwin, Bart. -	John Stansfield, James Crossley, John Akroyd, James Hirst, William Shoebridge.
Steps and Yard -	198	Sir John Selwin, Bart. -	John Stansfield, James Crossley, John Akroyd, James Hirst, William Shoebridge.
Office - -	199	Sir John Selwin, Bart. -	John Akroyd.
House - -	200	Sir John Selwin, Bart. -	John Crossley.
House - -	201	Sir John Selwin, Bart. -	Edward Parry.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Yard - - -	202	Sir John Selwin, Bart. -	Thomas Adam, Charles Emmet, Edward Parry, John Stansfield, and James Hirst.
Area - - -	203	Sir John Selwin, Bart. -	John Crossley, Edward Parry.
Office - - -	204	Sir John Selwin, Bart. -	Thomas Adam and Charles Emmet.
Office - -	205	Sir John Selwin, Bart. -	Thomas Pickard and Edward Stocks.
Yard - -	206	Sir John Selwin, Bart. -	Thomas Pickard.
Yard and Stable -	207	Sir John Selwin, Bart. -	James Parrish.
Warehouse, Steps, and Yard.	208	Sir John Selwin, Bart. -	William Brown.
Wall and Yard - -	209	William Walton - -	William Horsfall.
Foundry - -	210	William Walton - -	William Horsfall.
Hatter's Fold - -	211	Evan Charles Sutherland Walker.	Edward Wild, Thomas Kelly, George Whiteley, Winny McMarins, James Helliwell, William Shoesmith, Henrietta Casson, Michael Jenkinson, William Wells, William Booth, William Brear.
Black Horse Yard -	212	Evan Charles Sutherland Walker.	Andrew Dickinson, Leah Denby, James Whiteley.
Yard - - -	213	Evan Charles Sutherland Walker.	James Whiteley, James Crossley Ashworth, Benjamin Naylor, William Smith.
Warehouse - -	214	Evan Charles Sutherland Walker.	William Smith.
House and Outbuildings	215	Sir John Selwin, Bart. -	Mary Womersley.
Yard - - -	216	Sir John Selwin, Bart. -	Mary Womersley, Mary O'Dowd, William Smith, James Russell, Elizabeth Smith, Samuel Riley, William Keith, Joseph Brook, Mary Ainsworth, George Jeffery.
Dwelling House -	217	Sir John Selwin, Bart. -	George Jeffery.
Yard - -	218	Sir John Selwin, Bart. -	Mary Womersley. Mary O'Dowd, William Smith, James Russell, Elizabeth Smith, Samuel Riley, William Keith, Joseph Brook, Mary Ainsworth, George Jeffery.
Dwelling House -	218a	Sir John Selwin, Bart. -	Mary O'Dowd.

PART (M.)

BELL HALL LANE IMPROVEMENT.

Sheets 7 and 8.

Yard, Middenstead, Barn, and Outbuildings.	219	John Waterhouse, - Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Stable - -	220	John Waterhouse, - Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Pasture Field	221	John Waterhouse, Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Meadow Field	223	John Waterhouse, Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Meadow Field	224	John Waterhouse, Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.

PART (N.)

HIGHROAD WELL IMPROVEMENTS.

Sheet 9.

Yard	226	David Nicholl	George Westwood.
Public Road	227	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Yard	228	William Roberts	Thomas Holden.
Passage	229	William Roberts	William Roberts, Thomas Holden, Richard Mallinson.
Garden	230	William Roberts	Richard Mallinson.
Yard	231	William Roberts	William Roberts.
Garden	232	William Roberts	William Roberts and Thomas Holden.
Passage	234	William Roberts	William Roberts, Thomas Holden, and Richard Mallinson.
Pasture Field	235	William Roberts	William Roberts.
Cottage	236	Elizabeth Casson	Caroline Highley.
Cottage	237	Elizabeth Casson	James Sladdin.
Cottage	238	Elizabeth Casson	James Smith.
Cottage	239	Elizabeth Casson	Jane Turner.
Cottage	240	Elizabeth Casson	Thomas Brooksbank.
Cottage	241	Elizabeth Casson	William Helliwell.
Cottage	242 and 243	Elizabeth Casson	Leah Mitchell.
Cottage	244	Elizabeth Casson	Nancy Gledhill.
Cottage	245	Elizabeth Casson	William Sladdin.
Privy and Ashes-place	246	Elizabeth Casson	Caroline Highley, James Sladdin, James Firth, Jane Turner, Thomas Brooksbank, William Helliwell, Leah Mitchell, Nancy Gledhill, William Sladdin.
Passage	247	Elizabeth Casson and James Thompson.	Caroline Highley, James Sladdin, James Smith, Jane Turner, Thomas Brooksbank, William Helliwell, Leah Mitchell, Nancy Gledhill, William Sladdin, Joseph Hide, George Thompson, Richard Edwards, John Haigh, John Shaw, Thomas Thorp, Thomas Hunt, John Brooksbank, James Mitchell, John Garnett, Lawrence Swithenbank, James Sutcliffe.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Cottage - -	248	James Thompson - -	Jeremiah Whitehead.
Cottage - -	249	James Thompson - -	Charles Garlick.
Garden - -	250	James Thompson - -	Ellen Gledhill, James Edwards.
Outbuildings - -	251	James Thompson - -	James Edwards.
Wall and Land -	252	Joseph Thorp, Hall Stansfield, William Core Parker, George Webster.	Sidney Brooksbank.
Privy and Ashes-place	253	Joseph Thorp, Hall Stansfield, William Core Parker, George Webster.	Sidney Brooksbank, Samuel Hargreaves, Frederick Turner, John Lovell.
Outbuildings and Land	254	Joseph Thorp, Hall Stansfield, William Core Parker, George Webster.	Frederick Turner.
Dwelling House -	255	Joseph Thorp, Hall Stansfield, William Core Parker, George Webster.	Frederick Turner.

PART (O.)

MOUNT PELLON TO GIBBET LANE, AND HANSON LANE EXTENSION.

Plan on Sheet 10 *and Sections on Sheets Nos.* 12 *and* 13.

Pasture Field - -	256	Edwards Dyson - -	William Brear.
Private Road - -	257	Edwards Dyson - -	Henry Sutcliffe Bates and William Brear.
Pasture Field and Pond	258	Edwards Dyson - -	William Brear.
Pasture Field - -	259	Edwards Dyson - -	William Brear.
Pasture Field - -	260	Edwards Dyson - -	William Brear.
Pasture Field - -	261	Edwards Dyson - -	William Brear.
Pasture Field - -	262	Alice Hoyle - - -	William Asquith.
Public Road - -	263	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Pasture Field - -	263a	Alice Hoyle - - -	William Asquith.
Pasture Field - -	264	John Crossley - -	Timothy Boocock.
Pasture Field - -	265	John Crossley - -	Timothy Boocock.
Pasture Field - -	266	John Crossley - -	Timothy Boocock.
Pasture Field - -	267	John Crossley - -	Timothy Boocock.
Arable Field - -	268	Samuel Webster - -	Samuel Webster.
Public Bridleway -	269	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Pasture Field - -	270	Samuel Webster - -	Job Smithies.
Pasture Field - -	271	Godfrey Wright - -	Henry Marshall.
Pasture Field - -	272	Samuel Webster - -	Isaac Webster.
Private Road - -	273	Godfrey Wright - -	Henry Marshall, Amos Leah.
Cottage - -	274	Godfrey Wright - -	Hannah Wade.
Farmhouse - -	275	Godfrey Wright - -	Henry Marshall.
Privy and Ashplace -	276	Godfrey Wright - -	Henry Marshall and Hannah Wade.
Outbuildings - -	277	Godfrey Wright - -	Henry Marshall, Hannah Wade, and Mary Ann Helliwell.
Yard, Pigstye, and Middenstead.	278	Godfrey Wright - -	Henry Marshall, Hannah Wade, and Mary Ann Helliwell.
Shed and Mistal -	279	Godfrey Wright - -	Henry Marshall.
Pasture Field - -	280	Godfrey Wright - -	Henry Marshall.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
		PART (P.)	
		SHROGGS BOTTOM ROAD, LONG LANE, AND CITY ROAD IMPROVEMENT.	
		Plan on Sheet No. 14 *and Sections on Sheets Nos.* 15, 16, *and* 17.	
Shroggs Bottom Road -	1	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Part of Private Road and Wall.	1a	William Whitworth -	William Whitworth.
House and Shop -	2	James Holt and Richard Holt.	Thomas Stansfield.
Private Road or Yard -	3	James Holt and Richard Holt.	John Gee, Thomas Peel, Mary Drake, James Greenwood, Thomas Broadbent, Thomas Stansfield, George Pilling, John Pilling.
Shop and Dwelling House in course of erection.	4	The Halifax Industrial Society (Limited).	Unoccupied.
Private Causeway -	5	John Crossley and Sons, (Limited).	Isaiah Spencer, Benjamin Woodhead, Mary Smith, Mary Herbert, John Pratt, John Wilkinson, Mary Pickles, and William Sutcliffe.
Pasture Field or Croft -	6	William Whitworth -	William Whitworth.
Private Road - -	7	William Whitworth and Henry Savile, or one of them.	Edward Butler, Martha Stansfield, Solomon Gaskill, Thomas Saxon, Luke Halliday. Jeremiah Cockroft, Joshua Sykes, John Wilkinson, Dennis Sutcliffe, Catherine Johnson, James Pilling, William Harrison, Joseph Ratcliffe, Isaac Broughton, Eli Mitchell, Thomas Holroyd, James Sunderland, James Smith, Richard Brook, Hannah Town, Bridget Ryan, Benjamin Keighley, John Hurley, John Sanders, Benjamin Jones, James Bradford, Daniel Bower, Joseph Shepherd, John Crowther, Samuel Fenton, Thomas Wilson, Henry Broughton, William Roper, David Wright, Lucy Tattersall, John Sutcliffe, Thomas Milnes, Mary Milnes, Job Scott, John Lister,
(Continued.)			

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
(*Continued.*)			Ellen Ogden, John Wrigley, John Crowther, Emma Bancroft, William Sutcliffe.
Croft and Garden -	8	Henry Savile - -	Daniel Bower.
Croft and Garden -	9	Henry Savile - -	Thomas Milnes.
Steps - - -	10	Henry Savile - -	Thomas Milnes, Henry Broughton, William Roper, David Wright, Lucy Tattersall, John Sutcliffe, Thomas Milnes, Mary Milnes, Job Scott, John Lister, Ellen Ogden, John Wrigley, John Crowther.
Pasture Field - -	11	Henry Savile - -	Thomas Lister.
Yard - -	12	John Crossley and Sons (Limited).	Samuel Sheard, Christopher Riley, John Gargans, Patrick Lafferty, Thomas Hogan.
Dwelling House -	13	John Crossley and Sons (Limited).	Mary Cockroft.
Croft - -	14	Henry Savile - -	Unoccupied.
Steps - - -	15	John Crossley and Sons (Limited).	James Holroyd, James Balme, Mark Haley, Ellen Mitchell, Samuel Roberts.
Private Road - -	16	John Crossley and Sons (Limited).	John Crossley and Sons (Limited) and George West Royston Pigott, M.D.
Washkitchen - -	17	Henry Savile - -	John Jowett.
Private Road - -	18	Henry Savile - -	Charles Crowther, Joseph Ashworth, George Scott, Thomas Priestley, William Cheetham, Thomas Popplewell, Jonathan Clayton, John Sutcliffe, Thomas Naylor, Mordecai Allen, Margaret Hart.
Private Road and Wall	19	John Crossley and Sons (Limited).	
Private Road - -	20	John Crossley and Sons (Limited).	John Crossley and Sons (Limited) and George West Royston Pigott, M.D.
Mistal and Stables -	21	John Crossley and Sons (Limited).	George West Royston Pigott, M.D.
Pasture Field - -	22	John Crossley and Sons (Limited).	John Crossley and Sons (Limited) and William Sutcliffe.
Vacant Land and Private Road or Footpath.	23	Henry Savile - -	Charles Crowther, Joseph Ashworth, George Scott, Thomas Priestley, William Cheetham, Thomas Popplewell, Jonathan Clayton, John Sutcliffe, Thomas Naylor, Mordecai Allen, Margaret Hart.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Private Road	27	Solomon Smith and George Nelson Emmet.	George West Royston Pigott, M.D., and John Crossley and Sons (Limited).
Wall and Land	28	Henry Savile	James Wilson.
Vacant Land	29	Solomon Smith and George Nelson Emmet.	George West Royston Pigott, M.D.
Woody Land	31	Henry Savile	Unoccupied.
Land and Plantation	32	Henry Savile	Unoccupied.
Vacant Land	33	Henry Savile	Unoccupied.
Vacant Land	35	Henry Savile	Unoccupied.
Pigstye	36	Henry Savile	William Greenwood.
Pigstye	37	Henry Savile	James Ashworth.
Privy and Ashes-place	38	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth.
Steps and Passage	39	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth, and William Greenwood.
Outhouse	40	Henry Savile	William Greenwood.
Pigstye	41	Henry Savile	Unoccupied.
Pigstye	42	Henry Savile	Thomas Blagbrough.
Pasture Field	43	Henry Savile	William Greenwood.
Well	44	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth, John Leach, Helliwell Berry, John Berry, Joseph Ashworth, Thomas Ridler, Aaron Wilkinson, William Greenwood.
Steps	50	Henry Savile	Helliwell Berry, John Berry, Joseph Ashworth, Thomas Ridler, Aaron Wilkinson, William Greenwood, John Leach.
Vacant Land	51	Henry Savile	Unoccupied.
Pasture Field	52	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Plantation	53	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Pasture Field	54	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Private Road	54a	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Garden - -	55	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Passage - - -	56	Thomas Walsh - -	Thomas Walsh, William Rushworth, James Brenard.
Privy and Ashes-place -	57	Thomas Walsh - -	Thomas Walsh, William Rushworth, James Brenard.
Garden - - -	58	Joseph Harrison (Trustee of Thomas Harrison deceased).	Thomas Walsh.
Garden and Outhouse -	59	Edwin Hartley, - - James Hartley, Caroline Walsh, Edwin Hartley, and Thomas Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Walsh.
Privy - - -	60	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Walsh.
Pasture Field - -	61	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Edwin Hartley.
Privy - - -	62	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Abraham Townsend, Selina Appleyard, Joseph Helliwell, Eli Wolfenden.
Pasture Field - -	63	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Edwin Hartley.
Pasture Field - -	64	Joseph Harrison - - (Trustee of Thomas Harrison, deceased).	Richard Smith.
Coal-place and Yard -	65	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Garden - - -	66	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley and Ambrose Bairstow.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Coal-place - -	67	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Ambrose Bairstow.
Pigstye - - -	67a	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Garden - - -	68	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Pigstye - - -	69	Edwin Hartley, - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Foundry Oven - -	70	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Joseph Smith.
LONG LANE OR WHEATLEY LANE IMPROVEMENT.			
Vacant Land - -	72	Henry Savile - -	Unoccupied.
Garden - - -	73	Widow Spencer - -	William Baildon, John Sutcliffe.
Middenstead - -	74	Joseph Moxon Kirk -	John Greenwood.
Garden - - -	75	Joseph Moxon Kirk -	John Greenwood.
Outhouse - -	76	Joseph Moxon Kirk and Widow Spencer.	John Greenwood.
Garden - - -	77	Joseph Moxon Kirk -	John Greenwood.
Outhouse - -	78	Joseph Moxon Kirk -	John Greenwood.
Passage - - -	79	Joseph Moxon Kirk -	John Greenwood.
Vacant Land - -	80	Henry Savile - -	Unoccupied.
Pasture Field - -	81	Henry Savile - -	John Greenwood.
Garden - - -	82	Henry Savile - -	William Greenwood.
Private Road - -	83	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Pasture Field - -	84	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Croft - - -	85	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Meadow Field - -	86	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Pasture Field - -	87	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Pasture Field	88	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Privy	89	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Public Bridleway or Footpath.	90	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Reservoir Bank	91	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Nathan Ashworth, Nathan Kay, Charles Appleyard, Joseph Ashworth, James Savile, Thomas Hartley.
Arable Field	92	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Nathan Kay.
Meadow Field	93	Joshua Appleyard	Joshua Appleyard.
Arable Field	94	Joshua Appleyard	Joshua Appleyard.
Pasture Field and Well	95	Joshua Appleyard	Joshua Appleyard.

PART (Q.)

SOUTHOWRAM ROAD.

Plan on Sheet No. 18 *and Section No.* 19.

Public Highway	1	Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Yard	2	John Crossley and Sons (Limited).	John Shaw, William Ashworth, and George Sutcliffe.
Land	3	Same	John Crossley and Sons (Limited).
Land	4	Same	Same.
Yard and Wall	4a	Same	Thomas Asquith Riley and Mary Riley.
Privy, Ashes-place, and Pigstye.	5	Same	Same.
Pasture Field	6	Same	John Crossley and Sons (Limited).
Land and Footpath	8	Same	Same.
Pasture Field	9	The Reverend James Akroyd Beaumont and Reverend Thomas George Beaumont.	John Berry.
Pasture Field	10	Same	George Salmon and Jesse Gill.
Public Footpath	11	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Rope Walk and Pasture Field.	12	The Reverend James Akroyd Beaumont and Reverend Thomas George Beaumont.	George Salmon and Jesse Gill.
Public Highway called "Old Bank."	13	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Land and Footpath	14	Michael Stocks and Joseph Roust.	Unoccupied.

Local Government Supplemental (No. 3.)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Privy and Ashes-place -	15	Joseph Roust - -	James Scholefield, Charles Spencer, William Cocker, and John Hoyle.
House - - - -	16	Michael Stocks - -	Hannah Robinson.
House - - -	17	Same - - -	John Naylor.
House - - -	18	Same - -	James Greenwood.
Cottage - - -	19	Joseph Roust - -	Unoccupied.
Privy and Ashes-place -	21	Grace Ogden - -	Grace Ogden, Samuel Lockwood, Richard Cherry, William Fearnley, Frederick Horsfall, Nathan Mitchell, Leah Crossley.
Cottage - - -	22	Same - -	Samuel Lockwood.
Public Footpath or Bridleway called "Whiskam Dandy."	24	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Field and Plantation -	24a	John Waterhouse, - - Thomas Robson, and Samuel Waterhouse, (Trustees of Ann Prescott.)	Unoccupied.
Land - - -	25	Same - - -	Unoccupied.
Land - - -	25a	Same - - -	Unoccupied.
Land - - -	26a	Same - - -	Unoccupied.
Land over Railway Tunnel.	27a	Lancashire and Yorkshire Railway Company.	Lancashire and Yorkshire Railway Company.
Woody Land - -	28a	John Waterhouse, - - Thomas Robson, and Samuel Waterhouse, (Trustees of Ann Prescott.)	Unoccupied.
Pasture field and footpath	29a	Same - - -	Josiah Mitchell.
Occupation Road -	29b	Same - - -	Same.
Land - - -	30a	Same - - -	Same.
Land - - -	31a	Hanby Dyson - -	John Crossley.
Land - - -	31b	Same - - -	Same.
Yard - - -	31c	Same - - -	Same.
Land - - -	31d	Same - - -	Same.
Land - - -	31e	Same - - -	Same.
Unenclosed Land -	31f	Same - - -	Same.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extent of Act.

1. This Act shall extend only to *Ireland*.

Interpretation.

2. In the Construction of this Act the Expression "Lord Lieutenant" shall mean Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

Power to Grand Jury to apply by Memorial for Powers to purchase Property in Bridges, &c.

3. Whenever, for the Purpose of making or improving any Bridge under the Provisions of the recited Acts, it shall be necessary to purchase or take the Property in any Bridge or Ferry or the Tolls thereof, it shall be lawful for the Grand Juries of the respective Counties between which the said Bridge is proposed to be made, or between which the said Bridge is situate, to consent to the Purchase or taking of such Property for the Purposes aforesaid, subject to the Provisions of this Act, and to signify such Consent by a Resolution entered on the Record of their Proceedings.

When such Grand Juries shall have signified such Consent as aforesaid, it shall be lawful for either of such Grand Juries to state in the Memorial under the Provisions of the first-recited Act, in addition to the Matters by the said Act required, the Nature and Particulars of the Property necessary to be purchased or taken as aforesaid, the Necessity therefor, and the Consent of the said Grand Juries thereto, as aforesaid; and thereupon it shall be lawful for the Lord Lieutenant to direct that the Person or Persons to be appointed under the Provisions of the said Act shall, in addition to the Matters by the said Act directed, inquire into the Necessity and Propriety for the Purposes of the said Work of purchasing or taking the said Property, and the probable Cost of such Purchase, and thereupon all the Provisions of the recited Acts, save so far as they are expressly altered or varied by this Act, shall extend and be applicable thereto.

Lord Lieutenant empowered to direct Inquiry as to Necessity of such Purchase.

Lord Lieutenant empowered to order Property to be purchased or taken.

4. It shall be lawful for the Lord Lieutenant, if the Person or Persons directed to make Inquiry as to the Necessity and Propriety of the Purchase of the said Property shall so recommend, when he shall make an Order under the Fourth Section of the first-recited Act, to order that the said Property shall be purchased or taken subject to the Provisions of this Act, and for the Purposes thereof.

Secretary of Grand Jury to make out Statement of Property.

5. When the Lord Lieutenant shall have made such Order as aforesaid, the Secretary of the Grand Jury which shall have presented the said Memorial shall cause to be made out a Statement of

of the Nature of the said Property, together with the Names of the Owners or reputed Owners, Lessees or reputed Lessees thereof, and shall deposit the said Statement at the Office of the Commissioners of Public Works in *Ireland*.

Power to appoint a Valuator.

6. After such Deposit at the Office of the said Commissioners as aforesaid, it shall be lawful for the said Commissioners, on the Requisition of the Lord Lieutenant, to appoint a fit Person to be a Valuator for the Purpose of ascertaining the Value of the Property to be purchased or taken under this Act, and to fix the Remuneration to be paid to him; and if any such Valuator die, or refuse or become incapable to act, the said Commissioners may, as often as the same may happen, appoint a Valuator in his Place, who shall have the same Powers and Authorities as the Valuator first appointed.

Valuator may call for Documents and administer Oaths.

7. The Valuator may call for the Production of any Documents in the Possession or Power of the said Grand Juries, or of any Person on their Behalf, or of the Owners of the Property to be purchased or taken under the Provisions of this Act, which such Valuator may think necessary for determining any Question or Matter to be determined by him under this Act, and may examine Witnesses on Oath, and administer the Oaths necessary for that Purpose.

Valuator to make and subscribe Declaration.

8. Before the Valuator shall enter upon any Inquiry, he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration:

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my Skill and Ability, hear and determine the Matters referred to me under the Provisions of "The Bridges (*Ireland*) Act."

'Made and subscribed in the Presence of .'

And such Declaration shall be annexed to his Award when made, and if any Valuator, having made such Declaration, shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

Statement deposited to be delivered to Valuator.

Notice of Appointment of Valuator, &c. to be published.

9. Upon the Appointment of a Valuator as aforesaid, the said Commissioners of Public Works in *Ireland* shall deliver to such Valuator the Statement deposited at their Office, as herein-before required; and the said Commissioners shall forthwith after such Appointment cause to be published a Notice of such Appointment and of such Deposit as aforesaid once in the *Dublin Gazette*, and once in each of Two successive Weeks in some One or more Newspapers circulated in the said Counties, stating the Time and Place of such Deposit, and requiring the Owners of the Property to be purchased or taken for the Purposes of this Act, and specified in such

such Statement, to deliver to the Valuator, on or before a Day fixed by the Valuator, and named in such Notice (and which Day shall not be earlier than Seven Days from the Date of the Insertion of the last of such Newspaper Notices), a short Statement in Writing of their Claims in respect thereof; and upon the Appointment of any Valuator in the Place of a Valuator dying, or refusing, declining, or becoming incapable to act, all the Documents relating to the Matter of the Valuation which were in the Possession of such Valuator shall be delivered to the Valuator appointed in his Place, and the said Commissioners shall cause to be published a Notice of such Appointment in the *Dublin Gazette*.

Valuator to adjudicate upon Price to be paid for Property.

10. The Valuator shall, after the Expiration of the Period within which such Claims are required to be delivered to him as aforesaid, proceed to inquire into and adjudicate upon the Value of such Property, and the Purchase Money to be paid for same; and the Valuator shall, after due Inquiry and Examination, frame a Draft Award setting forth the Price or Compensation to be paid for the Property so required; and such Draft Award shall be deposited as herein-before directed concerning the Statement aforesaid; and the Valuator shall cause Notice of such Draft Award to be given to the Persons who shall be entitled to Payment under the same, if such Persons be known to the Valuator, or who shall have been heard before such Valuator as Claimants for Compensation, and shall also cause Notice to be published of such Draft Award once in the *Dublin Gazette*, and once in each of Two successive Weeks in some One or more Newspapers circulated in the said Counties, and shall in such Notices appoint a Time and Place or Times and Places for holding a Meeting to hear Objections against any such Draft Award (such Meeting to be not earlier than Ten Days after the First Day of Publication of the said Notice), and shall hold such Meeting accordingly, and thereat shall hear and determine any Objections which may then and there be made to any such Draft Award by any Person interested therein, or adjourn the further Hearing thereof, if the Valuator shall think fit, to a future Meeting, and may take any Measures which he may deem proper for ascertaining the Value of any such Property, and may from Time to Time, if he shall see Occasion so to do, appoint and hold further Meetings for hearing and determining Objections to any such Draft Award; and when the Valuator has heard and determined all such Objections, and made such Inquiries as he may think necessary in relation thereto, and made such Alterations (if any) as he may deem proper in the Draft Award, he shall make his Award under his Hand and Seal accordingly, and every such Award shall be binding and conclusive, subject to the Provisions

Provisions herein-after contained, upon all Persons whomsoever, and no such Award shall be set aside for Irregularity in Matter of Form; and a Copy of every such Award shall be deposited with the Clerks of the Peace for the said Counties respectively, and the said Commissioners of Public Works shall thereupon publish Notice in some Paper circulated in the said Counties once in each of Two successive Weeks of the Deposit of such Award as aforesaid, and requiring all Persons claiming to have any Right to or Interest in the Property the Price to be paid in respect of which is ascertained by such Award to deliver to the Secretary of the Commissioners of Public Works in *Ireland*, on or before a Day to be named in such Notice (such Day not being earlier than Seven Days from the Date of the last Publication of the Notice), a short Statement in Writing of the Nature of such Claim, and a short Abstract of the Title on which the same is founded.

Clerk of the Peace required to take charge of Documents deposited, as provided by 7 W. 4. & 1 Vict. c. 83.

11. The Clerks of the Peace aforesaid are hereby required to retain the Documents to be deposited with them under this Act in their Custody respectively, and to permit all Persons interested to inspect the same, and to make Copies and Extracts of and from the same, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided by an Act of the Session holden in the Seventh Year of King *William* the Fourth and First Year of Her present Majesty, Chapter Eighty-three.

Valuator to certify Costs.

Expenses of carrying Act into execution to be submitted to Lord Lieutenant.

12. It shall be lawful for the Valuator, where he thinks fit, upon the Request of any Party by whom any Claim has been made before him, to certify the Amount of the Costs properly incurred by such Party in relation to the Valuation; and the Remuneration, travelling and other Expenses, of the Valuator, and all other Costs and Expenses (if any) which shall be incurred in carrying the Provisions of this Act into execution, shall be submitted to the Lord Lieutenant for his Approval, and ascertained and certified by such Person as he shall appoint for the Purpose.

Power of Appeal against Award of Valuator.

13. Where any such Grand Jury, or the Person from whom any Property is to be purchased or taken, shall be dissatisfied with the Award made by the Valuator as herein-before mentioned, it shall be lawful for the said Grand Jury at the Assizes next following the Publication of said Award to direct an Appeal to be made against such Award; and said Appeal shall be in Writing, stating the Grounds thereof, and shall be signed by the Foreman of such Grand Jury, and shall be lodged with the Clerk of the Privy Council within One Month after the said Appeal shall have been so directed, but not after; and it shall be lawful for such Person as aforesaid who shall be dissatisfied with said Award

within One Month after the Publication thereof, but not after, to make an Appeal against the same; and such Appeal shall be in Writing, stating the Grounds thereof, and shall be signed by such Person, and shall within such Month be lodged with the said Clerk of the Privy Council; and it shall be lawful for the Lord Lieutenant, by and with the Advice and Consent of Her Majesty's Privy Council in *Ireland*, to hear and determine such Appeal, and to make such Order, disallowing or confirming such Award, or for the varying, altering, or modifying the same, and as to the Costs of such Appeal, as shall seem meet.

Purchase Money to be deemed Part of Expenses of Work.

14. It shall be lawful for the Lord Lieutenant to order that the Amount to be paid for the Purchase of any such Property, and the Costs and Expenses incurred as aforesaid in relation to the said Valuation, or otherwise in carrying the Provisions of this Act into execution, shall be and same accordingly shall be deemed Part of the Expenses of the Work for the Purposes of which such Purchase Money is to be paid, and Costs and Expenses incurred, and shall be raised, presented, and dealt with in every respect as is by the recited Acts provided with regard to the Expenses of the Works therein mentioned; and upon such Presentment having been made it shall be lawful for the Commissioners of Public Works in *Ireland* out of any Monies at their Disposal available for Loans, with the Consent of the Commissioners of Her Majesty's Treasury, to issue and advance the whole or any Part of the Money so presented, and apply the same to the Purchase of such Property, to the Construction of such Work, and to the Payment of the Costs and Expenses incurred as aforesaid, or otherwise in carrying this Act into effect: Provided always, that it shall be lawful for any Grand Jury by the recited Acts or this Act required to present any Sum of Money for the Purposes of the recited Acts, or of the same and this Act, to direct that the Amount of such Presentment shall be levied by any Number of half-yearly Instalments not exceeding Forty-four.

Appointment of Committee.

15. It shall be lawful for such Grand Juries, in case they shall so think fit, to determine that the building, rebuilding, repairing, widening, enlarging, or improving of any Bridge under the Provisions of the recited Acts, or of the same and this Act, or of the Approaches thereto, and the Execution of all Works relating to the same, may be contracted for, carried on, conducted, and managed by and under the Control and Direction of a Committee appointed in the Manner herein-after provided instead of by the Commissioners of Public Works in *Ireland*, anything in the recited Acts or this Act to the contrary notwithstanding, and for that Purpose each of the said Grand Juries shall appoint Four Persons to act on their Behalf, and all the Persons so appointed shall together be a Committee

mittee for contracting for, carrying on, conducting, and managing the Execution of the Work by the recited Acts, or by the same and this Act, authorized to be done; and if any Person so appointed decline to act, die, or resign before such Work shall be completed, it shall be lawful for the Grand Jury by whom such Person was appointed, at the same or any subsequent Assizes, to fill up such Vacancy: Provided that the Powers of the Committee shall not cease nor be suspended while any such Vacancy shall continue.

Quorum of Committee.

Powers when to determine.

16. The Powers of the said Committee may at all Times be exercised by any Five Members present at any Meeting duly assembled; and as soon as the Works in relation to which such Committee shall have been appointed shall be completed, and the Accounts of the same finally passed, the Office and Powers of such Committee shall cease and determine.

Appointment of Chairman.

17. The said Committee shall at its First Meeting after Appointment elect One of the Members thereof to be Chairman, and in case of the Absence of the Chairman from any Meeting the Members of the Committee then present shall elect One of their Number to be Chairman for the Meeting; and every Question shall be decided by a Majority of Votes, the Chairman (whether permanent or temporary) having a Vote, and in the event of an Equality of Votes on any Question, such Chairman shall have an additional or Casting Vote.

Contracts how to be made.

18. It shall be lawful for the said Committee to enter into Contracts for the Execution of the said Work, and every such Contract shall be made, after Advertisement (as herein-after mentioned) for Tenders, by the Acceptance of the Tender at the most reasonable Price, if satisfactory in all other respects, that shall be proposed. The Contractor shall be considered the responsible Person to execute the same. Before entering into any such Contract, the said Committee shall give Notice Three Times at least in a Newspaper circulating in the Counties, by the Grand Juries of which it was appointed, of the Intention to receive Tenders for the Execution of the said Works; and every Contractor shall, before his Contract shall be deemed valid, give Security in double the Amount of the Sum contracted to be paid for such Work for the due Execution thereof, such Security to be subject to Approval by the said Committee.

Committee to superintend Execution of Works.

19. The said Committee shall carefully superintend the Execution of any Contract entered into in respect of such Work, and shall take care that the same is well and efficiently carried out by the

the Contractor, and shall appoint the County Surveyor of One of the Counties liable to contribute to the Expenses of the said Work to assist in such Superintendence, and shall make all such Returns, Reports, and Accounts in relation to the Matters so intrusted to them as the Grand Juries that appointed the said Committee shall direct.

Certificate for Payment of Contractor.

20. The said Contract shall state the Stages of the Works at which and the Sums in which the Contractor is to be entitled to Payment, in pursuance of and in accordance with the Presentment; and whenever such Contractor shall become entitled to any Payment under such Presentment and Contract he shall give Notice thereof to the Committee, who shall thereupon refer the same to the County Surveyor appointed as aforesaid; and if the said Contractor shall appear on the said Surveyor's Report to have properly performed his Contract, or any Portion thereof, so as to become entitled to any Payment, he shall receive a Certificate in Writing to that Effect, signed by Three or more Members of the Committee.

Mode of Payment.

21. When the Commissioners of Public Works shall have agreed to advance the whole or any Part of the Money presented by the said Grand Juries as aforesaid, they shall pay to the said Contractor the Sum mentioned in the said Certificate, or so much thereof as the Funds in their Hands available for such Payment will permit; and in every other Case the Treasurers of the Counties liable to contribute towards defraying the Expenses of the said Work shall pay the Sum mentioned in the said Certificate to the said Contractor in the Proportion of the respective Liabilities of such Counties, and shall pay to the said Commissioners, in the like Proportion, such Sums as the said Commissioners shall require for the Purposes of the Twenty-second and Twenty-third Sections of this Act.

Payment to Persons whose Property is required for the Purposes of this Act.

22. The Commissioners of Public Works in *Ireland* shall, out of the Monies paid to them as aforesaid or which shall be in their Hands available for the Purpose of such Work, pay to the said Valuator and the said several other Persons respectively the Remuneration, Costs, and Expenses to which they shall be respectively entitled as aforesaid; and also, when it appears to them that any Person claiming any Right or Interest in the Property to be purchased or taken as aforesaid is absolutely entitled to the Estate or Interest claimed by him, they shall out of the said Monies pay to such Person the Sum to which he is entitled under the said Award, upon his giving a Receipt to them for the same, and such Receipt shall have the Effect of transferring all the Estate, Right, and Interest of such Party and of all

Receipt for Purchase Money to

Parties

Parties claiming under or through him in the Property in respect of which such Monies are paid to the said Commissioners, and vesting the same in them, in trust for the Purposes of the recited Acts and of this Act, so as such Receipt shall have an ad valorem Stamp of the same Amount impressed thereon in respect of the Purchase Monies mentioned therein as would have been necessary if such Receipt had been an actual Conveyance of such Estate, Right, or Interest, and the Costs of every such Receipt shall be deemed Part of the Expenses of the said Work, and shall be paid in manner herein-before provided.

transfer Property to Commissioners.

23. In case any such Person shall refuse to accept such Payment or give such Receipt as aforesaid, or if it appear to the said Commissioners, from any such Statement of Claim and Abstract as aforesaid or otherwise, that the Party making any such Claim as aforesaid is not absolutely entitled to the Estate or Interest in respect of which his Claim is made, or is under any Disability, or if the Title to such Estate or Interest be not satisfactorily deduced to the said Commissioners free from Incumbrance, then and in every such Case the Amount to be paid by the said Commissioners in respect of such Estate or Interest as aforesaid shall be paid and applied as provided by the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title; provided that the Expression "the Promoters of the Undertaking" used in the said Clauses of the said Act shall in the Cases contemplated by this Section be construed to mean "the Commissioners of Public Works in *Ireland*."

Where Parties making claim are unwilling to accept Payment, deemed not entitled, or are under Disability, or Title not satisfactorily deduced, Mode of Payment to be according to "Lands Clauses Consolidation Act, 1845."

24. It shall be lawful for the said Commissioners to take possession of the said Property for the Purposes of the recited Acts and of this Act when they shall have made Payment of the Monies to which the Persons who have any Estate or Interest in the said Property are by the said Award declared to be entitled, in the Manner provided by the Twenty-second or Twenty-third Sections of this Act respectively, or, if the said Award is appealed against as is by this Act provided, when they shall have paid the whole Amount of the Monies awarded to all the said Persons into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the said Persons and of this Act, and of the Work in respect of which the same is paid, subject to the Control and Disposition of the said Court; and the said Accountant General shall invest all Monies which shall be so paid in the Purchase of Bank Annuities or Government Securities, and allow the same to accumulate until the

Taking possession of Property.

said Appeal shall have been heard and disposed of, and thereupon it shall be lawful for the Court of Chancery, upon Application by the said Commissioners, and upon Proof that Payment of the Sums to which the said Persons shall have been declared entitled has been duly made in manner herein-before provided, to order the Funds in which the said Money shall have been invested, together with the Accumulation thereof, to be transferred to the said Commissioners; or, in default of such Payment as aforesaid by the said Commissioners, it shall be lawful for the said Court, upon Application of any of the said Persons, to order the same to be applied, in such Manner as it shall think fit, for the Benefit of the Parties for whose Security the same shall have been so paid: Provided always, that in the event of any Sum being required for the Purposes of this Section in addition to the Sum which shall have been paid into the Bank of *Ireland* in manner aforesaid, such Sum shall, when certified as necessary by the said Commissioners of Public Works to the Grand Juries liable to contribute towards defraying the Expenses of the said Work, be presented by the said Grand Juries in the like Proportion as the Sums presented by them respectively for the said Expenses of the said Work.

Power to Grand Juries to present Monies off Baronies, Townlands, &c.

25. It shall be lawful for the Grand Juries of the respective Counties, in presenting the Amount to be levied off and from their Counties respectively for the Expenses of any Work under the recited Acts, or the same and this Act, to present the same, and the several Instalments, if any, in which the same shall be made payable, to be levied and raised upon and from the Occupiers of Lands, Tenements, and Hereditaments chargeable with the Payment of County Cess or Grand Jury Rates within all or any of the Baronies in such County, or all or any of the Townlands of any such Barony, exclusive of any others of such Baronies or Townlands, and either equably or in such rateable Proportions as, having regard to the Benefits probably to be derived from the Execution of any such Work, such Grand Jury shall consider just: Provided always, that the Owners or Occupiers of Lands, Tenements, and Hereditaments chargeable with the Payment of County Cess or Grand Jury Rates within any Barony or Townland who shall consider themselves aggrieved by any such Presentment may, within One Month after such Presentment shall have been made, but not after, make an Appeal to the Lord Lieutenant in such Manner as is herein-before provided in case of Appeals against the said Valuations, and it shall be lawful for the Lord Lieutenant, with the like Consent as aforesaid, to hear and determine such Appeal, and to make such Order varying, altering, or modifying the said Presentment, and as to the Costs of such Appeal, as shall seem meet.

26. And

Co-operation of Grand Juries for purchasing Bridges, &c.

26. And whereas in Cases where a Bridge or Ferry is situate wholly within the Limits of a County or County of a City it is expedient to enable the Grand Jury of any neighbouring County or County of a City to co-operate with the Grand Jury of any such first-mentioned County or County of a City for any of the Purposes of the recited Acts and of this Act: Be it therefore enacted, That it shall be lawful for the Grand Jury of such neighbouring County or County of a City, upon and after Application made and approved at Presentment Sessions for the County at large to consent to co-operate with the Grand Jury of any such first-named County or County of a City for the Purposes aforesaid, and to signify such Consent by a Resolution entered on the Record of its Proceedings, and thereupon all the Provisions of the recited Acts and of this Act shall extend and be applicable in like Manner as if the said Bridge or Ferry were situate between the said Counties, and all Acts and Proceedings by the said Acts and this Act provided shall and may be done, had, and taken accordingly.

Bridges to be Toll-free.

27. When any Work under the recited Acts and this Act shall be completed, the Passage of the said Bridge shall be open to all Persons, Carriages, Horses, Cattle, and other Animals whatsoever, free from all Tolls and Charges whatsoever.

Provisions as to Bridge at New Ross.

28. And whereas a Bridge at *New Ross*, over the River *Barrow* (which River is the Boundary between the Counties of *Wexford* and *Kilkenny*), the Property of the Commissioners for building a Bridge over the River of *Ross*, was partly carried away in the Month of *January* last, and great public Inconvenience and Loss has resulted therefrom: And whereas the Tolls of said Bridge are the Property of the said Commissioners, and the Right of Ferry over the said River is the Property of the said Commissioners, and it is desirable that a free Bridge shall be erected in place thereof, and for such Purposes it is necessary to purchase the Property of the said Bridge Commissioners: And whereas the Grand Juries of the Counties of *Wexford* and *Kilkenny* assembled at the last Spring Assizes, by Resolutions entered on the Record of their respective Proceedings, have signified their Consent to such Purchase, and to the building of a Bridge under the Provisions of the recited Act, in place of that which was destroyed as aforesaid, and have respectively presented Memorials to His Excellency the Lord Lieutenant of *Ireland* under the Provisions of the recited Act, and have stated therein, in addition to the several Matters by the recited Act required, the Nature and Particulars of the Property necessary to be purchased, and the Necessity of such Purchase: Be it therefore enacted, That the said Resolutions shall be as valid and effectual to signify the Consent herein-before required as if such Consent had been given and signified,

signified, and such Resolutions had been passed and entered, after the passing of and under the Provisions of this Act, and that the said Memorials shall also be as valid and effectual as if the same had been presented under the Provisions of the recited Act and this Act, and all the Acts and Proceedings herein-before provided shall and may be done, had, and taken thereupon accordingly; and for the Purposes of this Act the Grand Jury of the County of *Wexford* shall be deemed to be the Grand Jury which shall have presented the Memorial, and the Secretary of such Grand Jury shall be the Officer to do all Acts herein-before provided to be done by the Secretary of the Grand Jury presenting a Memorial under this Act; and in ascertaining the Purchase Money to be paid to the said Commissioners the Value of all the Property to be taken from them shall be included, and no further Obligation shall rest on the said Commissioners to restore the said Bridge.

Persons liable to pay Cess for Purchase of the Bridge at New Ross may deduct same from Rent.

29. Every Person occupying any Lands, Tenements, or Hereditaments within either of the said Counties of *Wexford* and *Kilkenny* who shall be liable to pay a Rent in respect of the same, and all Sub-lessors and others paying Rent for such Lands, Tenements, and Hereditaments, may deduct from such Rent the same rateable Proportion of the Cess or Rate payable under this Act in respect to and for the Purchase of the said Property in the preceding Section mentioned, and the building of the said Bridge at *New Ross*, as such Occupier or Sub-lessor is now by Law entitled to deduct for a Rate made for the Relief of the Poor in *Ireland;* and the Receipts to be given for such Cess or Rate under this Act, and the Payment thereof, shall have the same Effect to all Intents and Purposes as is provided in respect to Rates made for the Relief of the Poor in *Ireland:* Provided always, that if any such Consent as is prescribed by the Twenty-sixth Section of this Act shall ever be entered into between the Counties of *Kilkenny* and *Waterford*, or either of them, and the County of the City of *Waterford*, for the Purchase of the Bridge and Ferry at *Waterford*, no Memorial for the effecting such Purchase shall be adopted by any Grand Jury, or forwarded by them to the Lord Lieutenant, until the same shall have been assented to by a Majority in Number and Value of the Ratepayers of the Borough of *Waterford*, in manner provided by the Act of the Seventeenth and Eighteenth *Victoria*, Chapter One hundred and three, for the Purpose of adopting the "Towns Improvement (*Ireland*) Act."

Assent of Ratepayers in Case of Waterford Bridge.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

CAP. LI.

An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes. [15th *July* 1867.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to appoint Commissioners for carrying into execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in* Great Britain, *and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions in* England: 7 & 8 G. 4. c. 75. 9 G. 4. c. 38. 2 & 3 W. 4. c. 127. 3 & 4 W. 4. c. 95. 6 & 7 W. 4. c. 80. 1 & 2 Vict. c. 57. 7 & 8 Vict. c. 79. 11 & 12 Vict. c. 62. 16 & 17 Vict. c. 111. 20 & 21 Vict. c. 46. 26 & 27 Vict. c. 101. 29 & 30 Vict. c. 59.

And whereas several Acts have since been passed appointing additional Commissioners for carrying those Acts into execution:

And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in *Great Britain*, and several other Acts for continuing or granting to Her Majesty Rates and Taxes:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The several and respective Persons herein-after named shall and may and are hereby empowered and authorized (being duly qualified) to Appointment of additional

Commissioners.

to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, and Places in *England* and *Wales* herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth; (that is to say,)

For the Borough of New Windsor *and the Castle there.*

James Ellison *High Street, Windsor*, John Secker *Thames Street, Windsor*, William Weaver Berridge *High Street, Windsor*, John Vyse Cooper *High Street, Windsor*, James Griffin *High Street, Windsor*, George Weller *High Street, Windsor*, Henry Frowd *Adelaide Square, Windsor.*

For the County of Buckingham.

Thomas Fremantle *Esquire*, Thomas Owen Wethered *Seymour Court, Great Marlow*, Owen Peel Wethered *Great Marlow*, John Patterson Ellames *Manor House, Little Marlow, the Reverend* John Henry Ellis *Brill, Bucks, near Thame, Oxon, the Reverend* Edward Boys *Oakley, Bucks, near Thame, Oxon, the Reverend* John Cramere Addison *Wotton Underwood, near Aylesbury*, George Henry Vansittart *Bisham Abbey, Berks, Esquire.*

For the Isle of Ely.

Goodwyn Acher, Ebenezer William Harlock, Henry Luddington, Henry Lawrence, William Pate, John Seaber *junior*, all of *Ely*, William Martin *Downham*, Henry Waddelow Martin *Littleport*, George Vipan *Stretham*, Thomas Vipan *Witcham.*

For the County of Chester.

Thomas Walton Mellor, George Mellor, John Chadwick, Thomas Hadfield Sidebottom, James Sidebottom, Ralph Bates, Alfred Aspland, William Bass, William Garforth, Charles Kershaw, Joseph Moxon Clementson, all of *Dukinfield*, William Linton Eskridge *Cheadle Mosley*, David Maclure *Cheadle Heath, Cheadle Bulkeley*, Joseph Orme *Stockport*, George Chapman *Stockport*, William Rayner *Heaton Norris, Lancashire*, John Maclure *Heaton Norris, Lancashire.*

For the County of Cornwall.

Captain James Bull, R.N., *Bareppa, Mawnan*, Captain Francis Purder Porteous, R.N., *Woodlane, Falmouth*, George Rogers *Esquire, Constantine*, Michael Williams *Esquire, Tregullow, Scorrier*, Edward Hawke *Esquire, Tolgullow, Scorrier*, John Freeman

Land Tax Commissioners Names.

Freeman *Esquire*, *Woodlane*, *Falmouth*, John Downing *Esquire*, *Florence Place*, *Falmouth*, Henry Martin Harvey *Esquire*, *Hexworthy*, *Reverend* Walter Trevelyan *Clerk*, *Mawgan in Meneage*, *Reverend* Leighton George Hayne *D.M.*, *Clerk*, *Helston*, William Clinton Braddley *Helston*, Charles Lemon Frazer Daniel *Helston*.

For the County of Cumberland.

Robert Ferguson *Esquire*, *Morton*, *Carlisle*, Thomas Nelson *Esquire*, *Murril Hill House*, *Carlisle*, Peter James Dixon *Esquire*, *Houghton Hall*, *Carlisle*, William Jackson *Esquire*, *Oakbank*, Hugh Jocelyn Percy *Esquire*, *Eskrigg*, *Wigton*, Edward Fidler *Esquire*, *Standing Stone*, *Wigton*, *the Reverend* William Lyde *Wigton*, Joseph Studholme *Esquire*, *Wigton*, Christopher Parker *Esquire*, *Skirwith Abbey*, *the Reverend* Samuel Johnson Butler *Clerk*, *Penryth*, Charles Richardson Saunders *Esquire*, *Nunwick Hall*, Thomas Nelson *Penryth*, John Barker *Greystoke*, Thomas Varty *Stag Stones*, George Smith *Lubam*, John Simpson *Beacon Hill*, Erasmus Head Dowson *Esquire*, *Greystoke*.

For the County of Derby.

William Hemsley *Melbourne*, James Hollingworth *Derby*, William Cramond *Derby*, William Hobson *Derby*, John Renals *Derby*, Robert Howe Ashton *Castleton*, John Marsland *The Hague*, *Mottram*, Jonathan Jowett *Cobden Edge*, *Mellor*, *Reverend* Joseph Hall *Edensor*, *Reverend* Samuel Andrew *Tideswell*, *Reverend* Charles Cutler *Hathersage*, *Reverend* Jeremiah Stockdale, *Baslow*.

For the County of Devon.

Richard Farleigh *Esquire*, *Barnstaple*, William Peck *Esquire*, *Devonport*, Joseph May *Esquire*, *Devonport*, John Weary *Esquire*, *Devonport*, Richard Clarkson Smith *Esquire*, *Devonport*, James Bourne *Esquire*, *Devonport*, Lorenzo Paston Betham *Esquire*, *Devonport*, William Campbell Hare *Tavistock*, John Pearse *Tavistock*, *Reverend* Henry John Philpotts *Lamerton*, *Reverend* William Henry D'Oyley Purcell *South Sydenham*, *Reverend* Osborne John Tancock *D.C.L.*, *Tavistock*, John Flamank *E.I.C.*, *Major General* John Thomas Hill, *Major General* Wilson, *Reverend* Simon Houghton Sherard, Henry Searle Gaye *M.D.*, Francis John Gillard, Henry Thomas Marshall, Pierce Gilbert Edward Taylor *Ogwell House*, Charles Hale Monro *Captain*, Charles Corbyn Wills, *Reverend* William Bourchier Wrey *Clerk*, *Combeinteignhead*, William Flamank *junior*, Arthur William Flamank, Thomas Barnes *Esquire*, *Tillworth*, Edward Charles Forward *Esquire*, *Axminster*, Frederick Lamport Barnard *Esquire*, *Axminster*, *Reverend* Horace William Thrupp *Clerk*, *Musbury*, Richard Ley *South Molton*, John Matthews *Clerk*, *Vicarage*, *Knowstones*, *the* Mayor, Aldermen, and Town Councillors

lors *for the Time being of the Borough of* Plymouth, Richard Rundle *Esquire*, Thomas Hillersden Bulteel *Esquire*, Ralph Cole *Esquire*, Herbert Mends Gibson *Esquire*, James Skardon *Esquire*, William Frederick Collier *Esquire*, William Henry Hawker *Esquire*, Alexander Hubbard *Esquire*, John Winterbotham Batten *Esquire*, Joseph Norrington *Esquire*, William Radford *Esquire*, Benjamin Sparrow *Esquire*, John Fincher Trist *Esquire*, *the Reverend* Samuel Tagert *Clerk*, *Pyworthy*, James Higgs *Holsworthy*, Edwin Scobell *Esquire*, *Goodameavy*, *Meavy*, Williams Grigg *Esquire*, *Cann Cottage*, *Tamerton Foliott*, *Sir* Henry Shelley *Clerk*, *Rectory*, *Beer Ferris*, William Pollexfen Radcliffe *Colonel*, *Warlegh*, *Tamerton Foliott*, *Reverend* Charles Edward Turner *Clerk*, *Vicarage*, *Egg Buckland*, *Reverend* Charles Henry Walker *Vicarage*, *Walkhampton*, Charles Willesford *Esquire*, *Tavy Cottage*, *Tavistock*.

For the Town and County of the Town of Poole.

Thomas Cox *Esquire*, Thomas Slade *Esquire*, David Slade *Esquire*, David Durell *Esquire*, John Barnes Durell *Esquire*, Alfred Balston *Esquire*.

For the County of Dorset.

Richard Lowndes *Sturminster Newton Castle*, *Clerk*, Robert Rideout Harvey *Hinton Saint Mary*, *Esquire*, Charles Ited Nicholl *Hinton Saint Mary*, *Clerk*, John Thresher *Corfe Hill*, *Broadway*, *Esquire*, Samuel White-White *Wimborne Minster*, Charles Webb *Wimborne Minster*, Charles Allen King *Lytchet Matravers*, *Esquire*, Thomas Rawlins *Wimborne Minster*, Arthur Whitehead *Wimborne Minster*, Charles Reynolds Rowe *Wimborne Minster*.

For the County of Durham.

John Hartley, John Kidson, Francis Ritson, Robert Thomas Wilkinson, Samuel Sinclair Robson, John Allen *Findon Cottage*, Robert Anthony Burrell *Durham*, Edgar John Meynell *Durham*, Edward Featherstonhaugh *Sunderland*, William Bacon *Durham*, Thomas Bamlett *Hurworth Place*, Thomas Bowes *Monk End*, Robert Collyer *Hurworth*, Arthur Thistlewaite *Hurworth*, Thomas Sowerby *Snow Hall*, Samuel Rowland Chapman Ward *Neasham Hill*, Hiram Craven *Fulwell Lane*, George Hay *Boldon*, Robert Robey Redmayne *South Dene*, John Ormston *Musgrove House*, James Leathart *Bracken Dene*, Hugh Lee Pattinson *Scots House*, Benjamin Brigger *Deckham Hall*, William Kimpster *Gateshead*, Richard Laycock *Winlaton*, Edward Joicey *Whinney House*.

For the County of Essex.

Thomas Sutton Western *Felix Hall*, *Kelvedon*, Edward North Buxton *Knighton*, *Woodford*, Andrew Johnston *Woodford*, James Spicer

Land Tax Commissioners Names.

Spicer *Harts, Woodford, the Reverend* John Hopkins Bailey *The Vicarage, White Notley, Captain* Samuel George Savill *Ivy Chimnies, Witham,* Charles William Tanner *Stratford.*

For the County of Gloucester.

Thomas Cadle *Longcroft, Westbury on Severn,* James Bush *Omar Pasha Villa,* Edmund Temple Godman *Esquire, Banksfer House,* Alfred Sartoris *Esquire, Abbotts Wood, Stow-on-the-Wold,* Piers Thursby *Esquire, Broadwell House.*

For the City of Hereford.

John Burdett Parry, Peregrine Prince, Thomas Nicholson, Josiah Webb Goldsworthy, Charles Brunsden, William Evans, James Frederick Symonds, John Bulmer, Samuel Farmer, Reginald Jennings, William Gethen, Robert Farthing Knight, Henry Childe Beddoe, Francis B. Kempson.

For the Rest of the County of Hereford.

Reverend William Pitcairn Alexander Campbell *Almeley, Reverend* William Heather *Dilwyn, Reverend* Joseph Hill *Monnington-on-Wye, Reverend* Hanmore William Webb Peploe *Weobley.*

For the County of Hertford.

William Lucas *Hitchin,* Samuel Lucas *Hitchin, Reverend* George Gainsford *Hitchin, Reverend* Lewis Hensley *Hitchin, the Reverend* Francis Bacon *Clerk, Much Hadham, the Reverend* Henry Samuel Mott *Clerk, Much Hadham.*

For the Town and Liberty of Sandwich.

William Thomas Young Dicey *Esquire,* Henry Boys *Captain R.N.,* Robert Hazell *Esquire,* Henry Harvey *Captain R.N., Sunnyside,* Richard Staines Davey *Esquire, M.D.,* James Webster *Esquire.*

For the County of Kent.

Edward Fowler Satterthwaite *Kingsfield, Dartford, Colonel* C. J. Phillips *Cranford Lodge, Dartford,* Richd. Combe Miller *Dartford,* Thomas Aldworth *Dartford,* William Tasker *Dartford,* William Miskin *Dartford,* Thomas May Dunster *Hulsewood, Wilmington,* James Henry Bovill *Dartford Heath,* John Fletcher *West Hill, Dartford,* Frederick Pigou *Dartford,* Richard Gibbs *Esquire, Emmetts, Brasted,* Matthew Horwood *Esquire, Brasted,* William John Tonge *Esquire, Morants Court, Chevening,* Edmund S. Hardinge

Land Tax Commissioners Names.

dinge *Esquire*, *Chiddingstone*, Edmund Wakefield Mead Waldo *Esquire*, *Stone Wall Park*, *Chiddingstone*, Robert Fox *Esquire*, *Falconhurst*, *Cowden*, William Robert Glasier *Esquire*, *Mote Farm*, *Cowden*, *Colonel* James Miller *Oak Deane*, *Cowden*, Herbert George Hammond Spencer *Esquire*, *Cowden*, Abraham Bowman *Esquire*, *Stangrove*, *Edenbridge*, Frederick Robert Gore *Esquire*, *Edenbridge*, George Gulliver *Esquire*, *Bridgecroft House*, *Edenbridge*, Henry Boultbee Langmore *Esquire*, *Poplars*, *Edenbridge*, Robert Lees *Esquire*, *Shetts Croft House*, *Edenbridge*, Edmund Le Gallais *Esquire*, *Edenbridge*, Edward Saunders *Esquire*, *Whitelands*, *Edenbridge*, Francis Hicks *Esquire*, *Broke House*, *Halsted*, Thomas Hicks *Esquire*, *Broke House*, *Halsted*, Norman Morris *Esquire*, *Warrens Gill*, *Hever*, Eric Carrington Smith *Esquire*, *Knotley House*, *Leigh*, Samuel Wreford *Esquire*, *Broughton House*, *Otford*, *Sir* Patrick Colquhoun *Knight*, *LL.D.*, *Penshurst*, *The Honourable* Philip Sidney-Foulis, Samuel Dunham *Esquire*, *Smart's Hill*, *Penshurst*, George Hanbury Field *Esquire*, *Penshurst*, James Nasmyth *Esquire*, *Culverhill*, *Penshurst*, Richard J. Streatfeild *Esquire*, *Chested*, *Penshurst*, James Alexander *Esquire*, *Oak Bank*, *Seal*, John Robert Davison *Esquire*, *Q.C.*, *Underriver House*, *Seal*, Charles Bowater Harrington *Esquire*, *Faulk House*, *Seal*, Horace Wilkinson *Esquire*, *The Chart*, *Seal*, *The Honourable* Reginald Windsor Sackville West *Knole*, *Sevenoaks*, Hugh Hamilton Lindsay *Esquire*, *Sevenoaks*, John Stone *Esquire*, *Sevenoaks*, Charles Matthew Thompson, *Esquire*, *Sevenoaks*, Thomas Williams *Esquire*, *Sevenoaks*, Bingham Mildmay *Esquire*, *Shoreham Place*, *Shoreham*, Sampson Copestake *Esquire*, *Shootfield*, *Sundridge*, Robert Robinson Drabble *Esquire*, *Woodside*, *Sundridge*, Joseph Williams Whitmore *Esquire*, *Bishop's Cottage*, *Sundridge*, John Board *Esquire*, *Springfield*, *Westerham*, John Wenham Lewis *Esquire*, *The Grange*, *Westerham*, John Fagg Harvey *Esquire*, *Godmersham*, Stephen Hart *Esquire*, *Westwell*, Robert Campbell *Esquire*, *Charing*, Edward Strouts *Esquire*, *Hothfield*, Francis Reed *Esquire*, *Great Chart*, *Reverend* Sydenham Francis Russell *Clerk*, *Willesborough*, *Reverend* Francis Cameron *Clerk*, *Bonnington*, Frederick Murton *Esquire*, *Smeeth*, John Murton *Esquire*, *Charing*, Joseph Foster *Esquire*, *Charing*, John Fitch Spicer *Esquire*, *Ashford*, Thomas John Startup *Esquire*, *Ashford*, Charles Pemberton Carter *Esquire*, *Kennington*.

For the County of Lancaster.

Frederick Adolphus Fynney *Manchester*, James Hampton *Gartside*, *Manchester*, Ely Andrew, Frank Andrew, Edward Chadwick, John Chadwick, Ely Cryer, John Cryer, Joseph Fletcher, Robert Joseph Fletcher, Henry Hall *senior*, Henry Hall *junior*, Thomas Heginbottom,

Land Tax Commissioners Names.

Heginbottom, James Kershaw, Henry Gartside, Thomas Walton Mellor, George Mellor, Thomas Mellor, John Moss, John Nield, Thomas Radley, Samuel Duncroft Lees *M.D.*, Henry Hannotte Vernon *M.D.*, James Hulme, Thomas Hulme, James Fletcher *Kersley, near Bolton*, Herbert Fletcher *Little Lever, near Bolton*, Nathaniel Greenhalgh *Sharples, near Bolton*, Thomas Greenhalgh *Sharples, near Bolton*, George Green *Tonge, near Bolton*, George Gorton *Bolton*, Robert Lord *Bolton*, Frederic Blakesley Mallett *M.D., Bolton*, David Skinner *Bolton*, William Walker *Bolton*, Henry Mason Richardson *Bolton*, Mathias Gorse *Bolton*, Dan. Wood Latham *Bolton*, Joseph Evans *Haydock*, John Viret Gooch *Newton-in-Mackerfield*, Richard Watson Marshall Dewhurst *Kenyon House, Kenyon*, Joseph Hornby Birley *Newton-in-Mackerfield*, Edward Tayleur *Newton-in-Mackerfield*, Joseph Hartley *Culcheth*, James Marson *Warrington*, Charles Henry Cartwright *Warrington*, Peter Robinson *Warrington*, Joseph Smith *M.D., Warrington*, Samuel Rigby *Bruck Hall, Poulton*, Samuel Stock *Blackleyhurst, near St. Helen's*, John Brewis *Golborne*, Abel Buckley, Joseph Smethurst, John Galt, Joshua Wood, Joseph Buckley Reyner, James Kenworthy, William Marshall, John Brooks, Nathaniel Buckley Sutcliffe, Hamilton Martin, William Smith Buckley, William Mothersill *Aughton*, Joseph Carlisle *Aughton*, James Johnson *Aughton*, Robert Wells *Burscough*, Samuel Sharman *Great Crosby*, Arnold Baruchson *Great Crosby*, John Huntingdon *Great Crosby*, Edward Magee *Great Crosby*, John Scholfield *Great Crosby*, Samuel Radford *Great Crosby*, John Pownall *Lathom*, James Smith *Litherland*, Henry Kilshaw *Litherland*, Edward Hatton *Litherland*, Thomas Ridley *Litherland*, James Blundell *Ormskirk*, William Heginbottom Garside *Ormskirk*, Henry Brighouse *Ormskirk*, John Richmond *Thornton*, Samuel Boothroyd *Southport*, George Darwell *Birkdale*, John Isherwood *Birkdale*, Thomas Stretch *Ormskirk, the Honourable and Reverend* G. T. O. Bridgeman *Rector, Wigan*, James Burrows *Wigan*, John Cross *J.P., Wigan*, James Fairclough *J.P., Wigan*, Edward Fidler *Wigan*, Charles Graham *Wigan*, James Johnson *Wigan*, R. A. Farington *Wigan*, James Kellett *Wigan*, W. J. Lamb *Wigan*, John McKerrow *Wigan*, William Melling *junior, Wigan*, James L. Moore *J.P., Wigan*, Richard Taylor *J.P., Wigan*, Thomas Heald *Wigan*, John Gerrard *Adlington*, Joseph Bourne *Brindle*, John Craven *Chorley*, Thomas Dodds *Chorley*, William Lawrence *Chorley*, Thomas Holt *Chorley*, John Lancaster *Chorley*, John Thom *Chorley*, Charlie Berkeley Molyneux *Chorley*, James Richmond *Chorley*, William Sanson *Chorley*, Thomas Burgoyne Watts *Chorley*, William Widdows *Chorley*, Thomas Dewhurst *Clayton-le-Woods*, James Anderton *Duxbury*, William Bashall *Farington*, William Boardman *Farington*, Thomas Barton *Heath Charnock*, Robert Barton *Chorley*, Thomas

Land Tax Commissioners Names.

Thomas Norris *Hawick*, Daniel Swann *Leyland*, Edward Barnes *Leyland*, John McKean *Little Hoole*, Peter Henry Dawson *Longton*, Arthur Clough Smethurst *Standish*, John Lancaster *Standish*, Peter Todd *Wheelton*, John Hoyle *Wheelton*, William Christopher Wood *Wheelton*, John Parkinson Parke *Withnell*, Thomas Blinkhorn Parke *Withnell*, Thomas Dicconsin *Wrightington*, Thomas Holt *Esquire*, *Belle Vue Terrace*, *Bury*, William Grundy *Esquire*, *Seedfield*, *Bury*, Herbert Grundy *Esquire*, *The Wydle*, *Bury*, R. H. Alcock *Esquire*, *Hudcar*, *Bury*.

For the County of Leicester.

Charles Bosworth *Dishley Grange*, Edward Paves Miles *Kirby Fields*, William Weston Stretton *Dane Hill House*, *Leicester*, John Daves *Gartree House*, *Leicester*, Thomas Voile *Frowlesworth Lodge*, Thomas Spencer *and* John Spencer *Welford Road*, *Leicester*, Henry Brown *Stonygate*, *Reverend* Thomas Butler *D.D.*, *Alexton*, *Reverend* John George Bourne *Castle Donington*, Daniel Hall *Asfordby*, George Henry Angrave *Welford Road*, *Leicester*, Edward Chandler *Morledge Street*, *Leicester*, Josiah Hickson *Melton Mowbray*, Thomas Grimes *Belgrave*, James Le Butt *Syston*, Frederick Bryan *Humberstone*.

For the County of Lincoln, *with the City and County of the City of* Lincoln.

Francis Scaman Dymoke *Tetford*, *Reverend* Matthewman Manduell *Tetford*, *Reverend* Edward Martin Chapman *Low Toynton*, Charles Albert Lloyd *Clerk*, *Rand*, Edward Waite Brown *Esquire*, *Langton*, *Reverend* William Handley Bland *Braceby*, John Downing *Esquire*, *Barrowby*, *Reverend* William Drake *Sedgebrooke*, Thomas Eminson *Esquire*, *Great Gonerby*, *Reverend* Cecil E. Fisher *Easton*, *Reverend* William Henry Pengelley *Great Gonerby*, Samuel Ridge *Esquire*, *Grantham*, *Reverend* Alfred Gott Woolward *Belton*, John Louth Needham *Huttoft*, Richard Brooks *Sutton-le-Marsh*, Frederick Barker *Claythorpe*, John Simpson Calvert *Tothill*, Charles North *South Thoresby*, Joseph Needham *Huttoft*, William Morton *junior*, *Alford*, John Wilson Budibent *Auderby*, *Reverend* William Nash *Clerk*, *Belleau*, *Reverend* John Bond *Clerk*, *Auderby*, *Reverend* Louis Drummond Kennedy *Clerk*, *Theddlethorpe all Saints*, Joseph Bennett *Great Grimsby*, Charles Manby Nainby *Barnaldby-le-Beck*, Thomas Oates *Great Grimsby*.

For the City of London.

James Butcher *Deputy*, James Howell, James Wood, William Northcott, Thomas Ker Lynch, Elias Davis, Richard Ellis, John Paterson, Charles Whetham *Deputy*, James Joseph Blake, Robert Taylor,

Land Tax Commissioners Names.

Taylor, Joseph Gosling Arnold, Robert Parker Taylor, Henry Gover, Alfred Lawrence, Ivie McCutchar, Mungo McGeorge, George Henry Ellis, Charles Mills Roche, James Ebenezer Saunders, Isaac Wilcox, Arthur Digby, William Tegg *Deputy*, Edward Hart, Henry Haines, John Wood, Alfred James Waterlow, William McArthur.

For the City of Westminster *and Liberties thereof, and Offices executed in* Westminster Hall.

Major William Lyon, *42, South Street, Park Lane, W.*, Hugh Horatio Seymour *Esquire, 30, Upper Brook Street, W.*, Joseph Bennett *Esquire, 70, Eccleston Square, S.W.*

For the County of Middlesex.

Jeremiah Long *Westminster*, Charles Wright *Sessions House, Clerkenwell*, James Compton, Thomas Okey, William George Goulborn, *45, King Street, St. Giles, and 43, Greek Street, Soho*, Frederick Moojen, *8, Southampton Street, Bloomsbury Square, and The Cedars, Leytonstone, Essex*, George Vernon Driver, *4, Hobart Place, Eaton Square*, Charles Mills Roche, *98, Gloucester Terrace, Hyde Park*, William Ellis, *40, Clifton Gardens, Maida Vale*, Herbert Clarke, *86, Regent's Park Road*, Thomas Dry, *12, Gloucester Road, Regent's Park*, George Adam Young *The Grove, Highgate Road*, Charles Kemp Wild, *44, Park Road, Haverstock Hill*, Edward Jackson Barron, *27, Guildford Street, Russell Square*, Reginald Read, *1, Guildford Place, Russell Square*, James Scarlett, *24, Euston Square, Saint Pancras*, John Timbrell Pierce, *32, Hilldrop Crescent, Camden Road*, James Johnston *Manor Road, North End, Hampstead*, William Dickenson, *16, Cambridge Street, Paddington*, Reuben Courtnell Greatorex, *6, Upper Westbourne Terrace, Paddington*, Philip Wilkinson, *74, Connaught Terrace, Paddington*, Arthur Sanders, *27, Norfolk Square, Hyde Park*, Nathaniel Bridges, *23, Red Lion Square, Holborn*, George Taylor *John Street, Bedford Row*, John Fisher Williams, *10, Queen Square, Bloomsbury*, Albert Patterson *Fallow Corner, Finchley*, John Reddish *Highbury New Park, Islington*, John Proctor, *34, Highbury Place, Islington*, William H. Williams *Highbury Hill, Islington*, John Glover *Highbury Hill, Islington*, Thomas Dix *Amwell Street, Clerkenwell*, Charles Nightengale, *72, Old Street, Saint Luke*, John William Jeakes *Winchester Hall, Highgate*, William Warner Dennis *Offord Road, Islington*, William Walton Williams *Highbury New Park, Islington*, William Robert Perry *Crouch Hill, Hornsey*, Richard Farmer *Tottenham Lane, Hornsey*, Richard Hazard, *157, Highbury New Park, Islington*, Daniel Hill, *3, Camden Road, Holloway*, George Edward Cook *Esquire, Latymer Lodge, Hammersmith*, George Ball-

Land Tax Commissioners Names.

cock *Esquire*, *Markham House*, *King's Road*, *Chelsea*, Henry Hockley Burnell *Esquire*, *20*, *Cheyne Walk*, *Chelsea*, William Banting *Esquire*, *Terrace*, *Kensington*, Frederick James Hand *Esquire*, *Saint Peter's Square*, *Hammersmith*, George S. Hinchcliffe *Esquire*, *Acton*, Francis William Laking *Esquire*, *13*, *Addison Road* (*South*), *Kensington*, Henry Justinian Laking *Esquire*, *2*, *Saint Peter's Square*, *Hammersmith*, Henry Poole *Esquire*, *Rose Bank*, *Fulham*, Henry Pawle Ree *Esquire*, *M.D.*, *Walham Green*, *Fulham*, John Smith *Esquire*, *The Grange*, *Shepherd's Bush*, *Hammersmith*, Thomas Brittain Vacher *Esquire*, *7*, *Stanley Crescent*, *Notting Hill*, *the Reverend* William Henry Fremantle *Gloucester Place*, Henry Greene *Greville Place*, Matthew Hall *St. John's Wood Road*, Thomas Harris *Carlton Hill*, George William Mayhew *Gloucester Place*, George Taverner Miller *Portland Place*, Duckworth Nelson *Marlborough Hill*, David Penton *Marylebone Lane*, George Samuel Reid *Oxford Street*, Edward Henry Scott *Cavendish Square*, Howard Charles Ward *Lennard Place*, *Lieutenant Colonel* Charles T. Wilson *Bryanston Square*, Urvager Merricks Buckton *Edgeware*, Henry Finch *Dolley's Hill*, *Willesden*, William Christie, Edward Rider Cook, John Joseph Hickmot, Edward Lionel Johnson.

For the Borough of Thetford.

The Reverend John Moore *Clerk*, *Kilverstone*, *Thetford*, *Norfolk.*

For the Rest of the County of Norfolk.

Henry Septimus Grimner *Haddiscoe*, Robert Gillett *Halvergate*, *Acle*, Robert Leamon *Whitwell*, *Reepham*, John Gall *New Buckenham*, *Reverend* Edward Gillett *Runham Vicarage*, *Reverend* Stephen Allen *D.D.*, *Shouldham Hall*, John Joseph Nunn *Esquire*, *Downham Market*, Anthony Horrex Roger Micklefield *Esquire*, *Stoke Ferry*, Thomas Lancelot Reed *Esquire*, *Downham Market*, *Reverend* Stephen Gooch Read *Barton Bendish*, Robert Collison Winearls *Esquire*, *Marham*, Leonard Ramsay Henslow *Clerk*, *Rector of Pulham Saint Mary Magdalen*, Edmund Larke *Silfield Lodge*, *Wymondham*, Charles Moore, *Caistor.*

For the County of Northumberland.

The Reverend Edmund Antrobus *Twizell House*, James Hogg *Esquire*, *Buckton near Belford*, John Jackson *Esquire*, *Fenwick Granary*, William Archbold *Esquire*, *Newham Hall*, *Chathill*, John Dinning *Esquire*, *Belford.*

For

Land Tax Commissioners Names.

For the Town of Nottingham.

George Simons *Nottingham Park*, John Swann *Nottingham Park*, John Bradley *Nottingham Park*, John Patterson *Nottingham Park*, Edward Munk *Nottingham Park*, John Wells Leavers *Nottingham Park*, Henry Cheetham *Wollaton*, Albert Heymann *West Bridgford*, Samuel Morley *Lenton*, Samuel Watson *Beeston*, William Page *Bobbers Mill*, Thomas Keely *Woodthorpe*, *Reverend* Henry Bell *Nottingham*, Richard Birkin *the younger*, *Nottingham*, William Wright *Upper College Street*, *Nottingham*, George Baker *Nottingham*, John Buttrum *Nottingham*, William Gregory *Nottingham*, John Scott Wells *Nottingham*, John Manning *Nottingham*, Thomas Hallam *Nottingham*, Samuel T. Cooper *Bulwell Hall*, Martin Furniss *Mansfield*, James Charles Dymock Robinson *Mansfield Woodhouse*.

For the County of Nottingham.

Thomas Blackburn Thoroton Hildyard *Flintham Hall*, Henry Martin *Bridgford*, George Augustus Hassall *Shelford Manor*, John Marriott *Cropwell Butler*, G. F. Davey *Colston Bassett*, William Pacey *Bingham*, *Reverend* Robert Miles *Bingham*, William Solomon Woodroffe *Normanton*, Richard Birkin *the younger*, *Nottingham Park*, Thomas Bishop *Bramcote*, *Reverend* Joshua Brooke *Colston Bassett*, *Reverend* William Burnside *Plumtree*, Thomas Cross *Ruddington*, George Davy *the younger*, *Colston Bassett*, Henry Enfield *Nottingham Park*, John Henry Fisher *Orston*, John Godber *Nuttall*, George Hassall *Shelford*, Frederick Hepworth *Sutton Bonnington*, John Wells Leavers *Nottingham Park*, John Marriott *Cropwell Butler*, James Morley *Lenton*, Edward Smith *Radcliffe-on-Trent*, William Tidmas *Sutton Bonnington*, James Prior Lacy *Newark*, Henry Branston *Newark*, William Wright *North Collingham*, Michael Colton *North Collingham*, Henry Fane *Farndon*, John Read Tomlin *East Stoke*, John Bakewell *Balderton Hall*, John Harrison Bland *Thorpe*, Robert Hall *Shelton*, *Reverend* John Drake Cane *Weston*, *Reverend* Alexander Atkinson Holden *Hawton*, *Reverend* Francis Lupton Harrison *South Muskham*, William Withers *Balderton*, William Rippon Brockton *Farndon*, Joseph Fox *Ordsall*, John Roberts *Ordsall*, John Marsden *Ordsall*, Joseph Laycock *Wiseton*, William Clater *Clarborough*, Henry Cottam *West Retford*, Robert James Tennent *Ordsall*, Samuel White *South Leverton*, William Champion *Worksop*, John Champion *Ranby*, Buchan Warren Wright *Clerk*, *Cuckney*, Charles Gray, *Clerk*, *East Retford*, Watkin Homfray *Clerk*, *West Retford*, George Kenworthy Clowes *Welham*, John Boyes *Ordsall*, John Henry Hutchinson *Clarborough*, Justice Chapman *Clerk*, *Elksley*, Thomas Westland Rowland *Normanton-on-Soar*.

For

Land Tax Commissioners Names.

For the County of Oxford.

The Reverend Edward Marshall *Clerk, Sanford,* Samuel Field *Deddington.*

For the County of Salop.

George Homerton Crump *Esquire, Pentrepant, Oswestry,* William Burr *Esquire, Kingsland, Shrewsbury,* Henry Keate *Esquire, Swan Hill House, Shrewsbury,* John Harley *Esquire, Rossall near Shrewsbury,* John Watts *Esquire, M.D., The Mount, Shrewsbury,* Charles Chandler *Esquire, Shrewsbury,* Edward Hughes *Esquire, College Hill, Shrewsbury,* Richard Palin *Esquire, Abbey Foregate, Shrewsbury,* Thomas Woodward *Esquire, Greenhill, Shrewsbury,* Thomas Groves *Esquire, Saint Austin's Friars, Shrewsbury,* John Watton *Esquire, Murivance, Shrewsbury,* Robert Henry Lingen Burton *Esquire, Shrewsbury,* Charles Woodward *Esquire, College Hill, Shrewsbury,* Samuel Smith *Esquire, Abbey Foregate, Shrewsbury,* Robert Josiah Wilkinson *Esquire, The Mount, Shrewsbury.*

For the Borough of Bridgwater.

William Henry Oxford, Charles Robert Bate, Edward Lilly.

For the Rest of the County of Somerset.

Henry Eden Mynors *Keynsham, Esquire,* George Tovey Barnard *Stockwood, Keynsham, Esquire,* Edwin Fydell Fox *Brislington, Esquire, the Reverend* Bassett Doveton *Burnett, Clerk,* William Henry Axford *Bridgwater,* Charles Robert Bate *Bridgwater,* Edward Lilly *Bridgwater,* John William Warre Tyndale *Esquire, Pilton,* Francis Lionel Octavius Attye *Esquire, Pilton,* John Phunmer Spencer *Esquire, Shepton Mallet,* William Vernon Jillard *Esquire, Shepton Mallet,* Charles Richard Dawe *Esquire, Ditcheat,* Charles Leir *Ditcheat, Clerk,* Henry Fitzhardinge Portman *Pylle, Clerk,* Adam Goldney *East Pennard, Clerk,* Joseph Benson *Greenway,* Henry Byne *Milligan Hall, Esquire,* Thomas Coker *Taunton,* George Bishop Cornish *Taunton, M.D.,* George Gillett *Paul's House, Esquire,* Robert Henderson, *Taunton,* William Henry Hewett *Norton,* T. Lloyd Jones *Gotten, Esquire,* Walter Meade King *Taunton,* George Wyattville Windford Knapp *Dean Court, Esquire,* —— Lamb, *Haines Hill, Esquire,* Charles Wooton Lucy *Taunton,* Octavius Malet *Haygrass House, Esquire,* Arthur Malet, *Muntys Court, Esquire,* Thomas Meyler *Taunton,* Robert Parsons *Taunton,* John Henry Biddulph Penchard *Taunton,* William Pitt *Southwell Lodge, Esquire,* Charles Abraham Turner *Staplegrove,* Charles Cæsar Welman *Norton Manor, Esquire,* John Myers

Land Tax Commissioners Names.

Myers King *junior, Esquire, Cutcombe,* Joseph Gatchell *junior, Esquire, Alcombe.*

For the County of Southampton *and* Isle of Wight.

William Bonham Carter *Alverstoke,* Andrew Nance *Baffins, Portsmouth,* Joseph Edward Wilson Lawrence, *Col. R.M.A., Portsmouth, Admiral* John Hallowes *Milton, Portsmouth,* William Bracher Gater *Fareham,* Henry Lavie (*Major, late Hon. E. I. C. S.*) *Catisfield, Fareham,* George Henry Tragett *Esquire, Aivebridge Danes, near Romsey,* William Overbury Purchase *Esquire, Market Place, Romsey,* Christopher Legge Lordan *Luyborough, near Romsey,* Francis Cressey *Deansfield, Romsey.*

For the City and County of the City of Lichfield.

John Valentine Hall.

For the Rest of the County of Stafford.

William Walker *junior, Bromley House, Penn,* John Moreton *Moseley Hall near Wolverhampton,* Henry Wright Owen *Compton near Wolverhampton,* Charles Corser *Wolverhampton,* George Pudsey Aston Pudsey *Seisdon,* George Ward *Penn,* John Simpson Rutter *Wolverhampton,* Robert Bew *Bilston,* William Hatton Graisley *Wolverhampton,* George Alfred Haden Best *Haden Hill, Rowley Regis,* Walter Bassano *Haden Cross, Rowley Regis,* Michael Phillips Grazebrook *Hagley,* William Grazebrook *Park Hall near Kidderminster,* James William Weaver *Oaken,* Benjamin Whitehouse *Sedgley,* Thomas Joseph Perry *Tettenhall,* Benjamin Saint John Matthews *Stream Villa, Kingswinford,* Joseph Cochrane *Woodfield, Kingswinford,* Charles Cochrane *The Ellowes, Sedgley,* Henry Smith *Summerhill, Kingswinford,* Thomas Holyoak Wight *Monks, Chaddlesley Corbett,* George Thompson Hartley *Wolverhampton,* John Talbot, Hugh Wood Gibson, William Silvester, Charles Chester Mort, John Kenderdine *Forebridge,* Benjamin Armitage, Thomas Salt *the younger,* Augustus Leveson Vernon *Deansfield, Brewood, Esquire,* Bernard Gilpin *the Limes, Cannock, Esquire,* Thomas Salt *the younger, Walton-on-the-Hill, Berkswich, Esquire,* Francis Leaver *Longnor Hall, Penkridge, Esquire, the Honourable* Edward George Percy Littleton *Teddesley, Penkridge,* Francis Monckton *Stretton, Brewood, Esquire,* Charles Williams *Rickerscote, Castle Church, Esquire,* John Kenderdine, *Forebridge, Castle Church, Esquire,* Edmund Malet Vaughan *Lapley, Esquire,* William Shaw *Weeping Cross, Esquire,* Arthur Pemberton Lons-

Land Tax Commissioners Names.

dale *Somerford, Brewood, Esquire,* John Charles Morris *Church Eaton, Esquire,* Frederick Eld *Leighford, Esquire, Reverend* Charles Twemlow Royds *Haughton, Clerk.*

For the Rest of the County of Suffolk.

The Reverend Thomas William Irby *the Rectory, Rushmere, Kessingland,* William Woodthorpe *Esquire, Carlton, Colvile.*

For the County of Surrey.

Arthur Pooley Onslow *Esquire, Send Grove, Send,* John Pares *Esquire, Chilworth,* Joseph Weale *Esquire, Guildford,* Henry Townsend *Esquire, Rydinghurst, Cranley,* Joseph William Thrupp *Esquire, Merrow,* Lannoy Arthur Coussmaker *Esquire, Westwood, Worplesdon,* John Fraser *Esquire, Shere,* William Walter Henning *Esquire, Woodhill, Wonersh,* William Newland *Esquire, Bramley,* John Boodle, Arthur Hedger *Esquire, Southwark,* Benjamin Richard Cook Rouse *Esquire, Southwark,* Thomas Turner *Esquire, Southwark,* Henry Lainson *Esquire, Reigate,* George Baker *Esquire, Reigate,* George Simpson *Esquire, Wray Park, Reigate,* William Wix *Esquire, Reigate,* Thomas North *Esquire, Wray Common, Reigate,* Jeremiah Long *Esquire, Caterham,* Joseph Sawyer Gainsford *Esquire, High Street, Southwark.*

For the Town and Port of Hastings.

Wastel Brisco *Esquire,* Wastel Brisco *junior, Esquire,* Musgrave Brisco *Esquire,* Edward Farncombe *Esquire,* William Drew Lucas Shadwell *Esquire,* Decimus Burton *Esquire,* Henry Cope Caulfield *Esquire, Reverend* George Darby St. Quentin, *Reverend* William Wheeler Hume, *Reverend* William Bleazby, *Reverend* Brereton Foyster, Will Ginner *Esquire,* Thomas Ross *Esquire,* George Clement *Esquire,* Stephen Putland *Esquire,* John Robert Bromley *Esquire,* John Howell *Esquire,* George Batley *Esquire,* Vandeleur Benjamin Crake *Esquire,* James Vickery *Esquire,* James Emary *Esquire,* James Rock *Esquire,* John Peerless *Esquire,* Charles Henry Gausden *Esquire,* Peyton Blakiston *M.D.,* John Savery *Esquire,* George Boger *Esquire,* George Meadows *Esquire,* Joseph Waddelow *Esquire, Reverend* Hadden S. Parkes, John Jolly *Esquire,* James Breeds *Esquire,* Samuel Gutsell *Esquire, Reverend* Thomas Vores, *Reverend* Thomas Charlton, John Crosbie *Esquire,* Edmund Field *Esquire,* John Wrenn *Esquire,* William Scrivens *Esquire,* George Scrivens *Esquire,* Frederic Ticehurst *Esquire,* Frederick North *Esquire,* James Dunk *Esquire, 10, Croft.*

For

Land Tax Commissioners Names.

For the ancient Town and Parish of Rye.

Joseph Judge *Esquire*, Robert Alce, Robert Coker Nash Davies *Esquire*, James Collins Hoad.

For the Town and Port of Seaford.

William Henry Cullingford *Esquire*, James Holland *Esquire*, Buckmaster Joseph Tuck *Esquire, and* Thomas Vincent, *Esquire.*

For the Rest of the County of Sussex.

Thomas Edward Beard *of All Saints, Lewes*, William Crosskey *of Castle Precincts, Lewes*, Moses Body *Northiam*, Henry Moor *Sussex Square, Kemp Town, Brighton, Sir* Charles Robert Mitchell Jackson *Chichester House, Kemp Town, Brighton, the Reverend* Henry Smith *Vicar of Westfirle*, John Hillman *Southmalling*, Spencer Austen Leigh *Alfriston, the Reverend* Trayton Fuller *Rector of Chalvington*, Henry Percival Hart *Beddingham*, Henry Willett *Arnold House, Brighton*, George David Sawyer, *55, Buckingham Place, Brighton*, George Tatham *Old Steine, Brighton*, William Henry Hallett *Manor House, Kemp Town.*

For the County of Warwick.

The Reverend Richard Seymour *Kinwarton, the Reverend* Alexander Hunter *Tanworth*, the *Reverend* Charles Dolben *Ipsley*, Francis Hastings Gustavus Nicholls *Esquire, Ashon, Reverend* George Hesketh Biggs *Eatington.*

For the County of Westmoreland.

The Reverend Henry Ware *M.A., the Vicarage, Kirkby Lonsdale*, Thomas Harpur Whitaker *Esquire, Beck Head, Kirkby Lonsdale*, Richard Atkinson *Esquire, Town End, Kirkby Lonsdale*, Richard Stuart Picard *Esquire, Beck Head, Kirkby Lonsdale*, Richard Roper *Esquire, Leyfield, Kirkby Lonsdale*, Francis Fenwick Pearson *Esquire, Kirkby Lonsdale*, Edward Tatham Swainson *Esquire, Summerfield, Kirkby Lonsdale*, Joseph Gibson *Esquire, junior, Whelprigg, Kirkby Lonsdale*, Ughtred James Kay Shuttleworth *Esquire, Barbon Park, Westmoreland*, Thomas Fenwick Fenwick *Esquire, Burrow Hall, Kirkby Lonsdale*, Henry Moore *Esquire, Harmony Hill, Milnthorpe, Reverend* Edward Pigot *the Rectory, Whittington, Kirkby Lonsdale*, Thomas Clarke *Esquire, Norwood Cottage, Casterton.*

For the County of Wilts.

Francis Attwood *Close of Salisbury, the Reverend* Frederick Bennett *Maddington*, Charles Blake *Ford*, Richard Blake *Winterbourn Dauntsey*, George Gerrard Blandford *Swallowcliffe*, John

Land Tax Commissioners Names.

John Fleetwood *Coombe Bissett, the Reverend* Michael Harrison *Steeple Langford,* Joseph Haynes *Laverstock, the Reverend* Charles Hinxmann *Barford St. Martin, the Reverend* Robert Sparke Hutchings *Alderbury,* John Andrew Ingram *Wylye, the Reverend* George Streynsham Master *West Dean, the Reverend* Edward Brace Martin *West Grimstead, the Reverend* John Hungerford Penruddocke *South Newton, the Reverend* John Newton Piell *Newton Toney,* Erlysman Charles Pickney *Berwick St. James,* John Pickney *Salisbury,* John Rebbeck *the younger, Ebbesbourn Wake,* Richard Henry Rigden *Salisbury,* Charles Henry Radcliffe *Salisbury,* Thomas Perrior Swayne *Steeple Langford,* John Pile Swayne *the younger, Steeple Langford, the Reverend* Joseph Samuel Stockwell *Wylye,* James Wigram *Whiteparish,* William Henry Woodcock *Fugglestone Saint Peter,* John Woodlands *Downton,* William Woodlands *Milford,* Edward Ashburner Kemp Welch *M.D., Downton, Reverend* Jacob Sturton *Kinwardstone Division, the Reverend* Edward Lowry Barnwell *Melksham House, Melksham, Clerk,* Henry Wyndham *Sandridge Cottage, near Melksham, Esquire,* Richard Penruddocke Ludlow Bruges *Seend House, Seend, near Melksham, Esquire,* John Hungerford Penruddocke, *Seend, near Melksham, Esquire,* Henry Brown *Esquire, Blackland,* John Dommett Bishop *Esquire, Calne,* Charles Harris *Esquire, Calne,* Charles A. Tanner *Esquire, Yatesbury, Reverend* Charles William Bradford *the Vicarage, Cliffe, Pypard,* Francis Walker *Chisledon, Reverend* John Wicke *the Vicarage, Wootton Bassett, Reverend* William Eyre Hussey *Lyneham.*

For the County of Worcester.

William Sheward Cartwright, Acton Pardoe, Alfred Clinch, Giles Shaw, Alfred Baldwin, Thomas Radford, John Crane Rogers, Thomas Bond Worth, John Brenton, Henry Richards *Selly Wood, near Birmingham,* Thomas Shutt Stock *The Priory, Northfield,* William Greenway *High House, Kingsnorton.*

For the Town and County of Kingston-upon-Hull.

John Todd *the younger, Swanland, Esquire,* Robert Blyth *Merchant,* Frederick Brenton Grotrian *Merchant,* John Malcolm *Merchant,* John Shaw *the younger, Wine and Spirit Merchant,* William Balk *Chemist and Druggist,* William Dennison *Wine Merchant,* John Francis Norwood *Merchant,* Edmund Philip Dixon *Seed Merchant,* James Burn *Chemist and Druggist,* Heneage Ferraby *Insurance Agent,* Thomas William Palmer *the younger, Wine Merchant,* Arthur Burton Pease *Banker,* John Christie Pettingell *Wine Merchant,* William West *Stock and Share Broker,* William Hodson

Land Tax Commissioners Names.

Hodson *Brick and Tile Merchant*, Bethel Jacobs *Goldsmith*, William Waite Stork *Drysalter*, James Boden *Merchant*, Thomas Jackson Foster *Gentleman*, Thomas Stratten *Fruit Broker*, William Hudson *Hosier*.

For the North Riding of the County of York.

The Reverend James Reece *Incumbent, Sandhutton, the Reverend* John Melville Guilding *Incumbent, Sowerby*, Percy Stanhope *Esquire, Ainderby, Quernhow*, Henry Rob *Esquire, Catton Hall, near Thirsk*, Richard Chapman *Kirkbymoorside, Esquire*.

For the West Riding of the County of York.

James William Armitage *Farnley*, Enoch Blackburn *Leeds*, Thomas Blackburn Baines *Leeds*, Thomas Robert Clarke *Leeds*, William Jagger Cooper *Leeds*, Christopher Kemplay *Leeds*, Thomas Lawson *Leeds*, George March *Leeds*, Thomas Nussey *Headingley*, John Ostler *Leeds*, John Buckingham Pope *Leeds*, Henry Taylor *Leeds*, John Barstow *Green Gates, Carlton*, Arthur Briggs *Rawden*, William Brayshay *The Lawn, Burley-in-Wharfedale*, Jeremiah Garnett *Otley*, John Musgrave Sagar Musgrave *Red Hall, Shadwell*, Walter Nicholson *Burley-in-Wharfdale*, Henry Rouse *Lane Head, Yeadon*, Roderic John Wilson *Seacroft*, Edward Armitage *Egerton Hill, Huddersfield*, William George Beaumont *Austerlands, Saddleworth*, Richard Buckley *Greenfield, Saddleworth*, John Edward Buckley *Linfitts House, Delph Saddleworth*, William Williams Greenwood *Ramsden Street, Huddersfield*, Edward Hilton *Coverhill, Saddleworth*, William Edwards Hirst *Mold Green, Huddersfield*, Jere Kaye *New North Road, Huddersfield*, William Keighley, *Brunswick House, Huddersfield*, James Robinson *Wood Brook, Saddleworth*, Joseph Wrigley *Netherton, Huddersfield*.

For the County of Anglesea.

George Higgins *Esquire, Red Hill, Reverend* John Skinner Jones *Llanfaes*, William Henry Weldon *Esquire, Beaumaris*, John Williams *Esquire, Beaumaris*, Richard Williams *Esquire, Beaumaris, Reverend* John Williams *Rector of Beaumaris*.

For the County of Brecon.

Jenkin Rhys *Esquire, Yskibborfawr*, David E. Williams *Esquire, Herwain*, William Davies *Esquire, Herwain, the Reverend* Thomas Walters *Clerk, Ystradgunlais*.

Land Tax Commissioners Names.

For the County of Cardigan.

The Reverend John James Stewart Perowne *St. David's College, Lampeter, the Reverend* Joseph Matthews *St. David's College, Lampeter, the Reverend* William Edmunds *Lampeter.*

For the Borough of Carmarthen.

Reverend Latimer Maurice Jones *Clerk, Lieutenant Colonel* Eugene James Vaughan, *Commander* Griffith Phillips *R.N., Adjutant* William Rice Bowen, John Aaron Timmins *Mount Hill,* William Spurrell *King Street,* Richard Morgan Davies *King Street,* George White White *King Street.*

For the Rest of the County of Carmarthen.

Edmund Blathwayt *Kidwelly,* Thomas Williams Angell Evans *Runsay House, Kidwelly,* Richard Edward Arden *Esquire, Llanon,* Percy Arden *Esquire, Llanon,* Douglas Arden *Esquire, Llanon.*

For the County of Denbigh.

Edward Hughes Parry *Llangollenfechan, Llangollen,* William Eccles Jones *the Vicarage, Llansilin, Denbighshire,* John Robert Griffith *Esquire, Brynderwen, Llanrwst.*

For the County of Glamorgan.

James Brogden *Tondu, Ironmaster, the Reverend* David Roberts *Newcastle, Clerk,* Griffith Rowland Bonville *Oldcastle, Esquire,* William Williams *Tyr Isha, Esquire,* William Prichard *Laleston, Surgeon,* William Davies *Newcastle, Iron and Coal Master,* Thomas Tamplin Lewis *Newcastle, Solicitor,* William Griffiths *Coy Church, Esquire,* John Howells *Pencoed, Esquire,* Thomas Alfred Middleton *Nolton Villa, Esquire,* Thomas Edwards *Newcastle, Esquire,* Thomas George Smith *Bridgend, Banker, the Reverend* Evan Price Thomas *Newhouse, Bridgend, Clerk, the Reverend* Daniel Evans *St. Brides Minor, Bridgend, Clerk,* Robert Price *Bridgend, Tanner,* Michael Allen *Nolton Cottage, Physician,* Thomas Jones Dyke *Merthyr Tydfil, Surgeon,* John Russell *Courtland Terrace, Merthyr Tydfil, Attorney-at-Law,* Thomas Williams *Victoria Street, Merthyr Tydfil,* Rowland William Thomas *Gellifynalog,* John Rees *Hengoed,* William Rees *Penywaun, the Reverend* John Hughes *Clerk, Taffs Well,* John Leigh *Lanvabon, Surgeon,* William Wayne Morgan *Watford,* Evan John *Esquire, Town, Llantrisant,* Collwyn Cozens *Esquire, Ynisplwm,* James Brain *Esquire, Llantrisant House,* Thomas Evans *Esquire, Glanmychydd,* Josiah Lewis *Esquire, Tynycymmer,*

Land Tax Commissioners Names.

Tynycymmer, Llantrisant, Richard Evans *Esquire, Bank, Pontypridd*, Ebenezer Williams *Esquire, Pontypridd*, Evan Hopkins *Esquire, Typicca, Pontypridd*, Rees Williams *Esquire, Cefnpennar, Aberdare*, Daniel Rees *Esquire, Llettyshenkin, Aberdare*, Samuel Thomas *Esquire, Yscuborwen, Aberdare*, David Davies *Esquire, Maesyffynon, Aberdare*, Thomas Williams *Esquire, Lan, Lanwonno.*

For the County of Merioneth.

John Evans *Dolgelley*, William Newling Griffith *Solicitor, Glynmaldon*, Robert John Griffith *Glynmaldon*, Edward Griffith *Dolgelley*, Hugh John Ellis Nanney *Heugwrtucha, Esquire*, William Pugh *Dolgelley*, David Pugh *Dolgelley, Solicitor*, Thomas Taylor *Arthoy, Esquire.*

For the County of Montgomery.

Richard Jones *Clerk, Vicarage, Tref Eglwys*, Nicholas Bennett *junior, Esquire, Glynyrafon, Tref Eglwys*, William A. Davies *Esquire, Surgeon, Llanidloes*, John Baxter Owen *junior, Esquire, Glan Dulas*, Thomas Jones *Esquire, Glan Clywedog*, John Campbell Bayard *Esquire, Gwernydd, Manafon*, Charles W. Beck *Esquire, Cefncoch, Llanllugan.*

For the County of Pembroke.

Richard Edward Arden *Esquire, Pontvane*, Percy Arden *Esquire, Pontvane*, Douglas Arden *Esquire, Pontvane.*

For the Borough of Radnor.

John Harvey Philpot *Prestegne, Surgeon.*

LONDON :

Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LII.

An Act to alter and amend the Acts relating to the *British* White Herring Fishery.

[15th *July* 1867.]

Recital of Acts relating to British White Herring Fishery.

WHEREAS the following Acts were passed for the Encouragement and Regulation of the *British* White Herring Fishery; that is to say, the Acts of Forty-eighth of *George* the Third, Chapter One hundred and ten; Fifty-first of *George* the Third, Chapter One hundred and one; Fifty-second of *George* the Third, Chapter One hundred and fifty-three; Fifty-fourth of *George* the Third, Chapter One hundred and two; Fifty-fifth of *George* the Third, Chapter Ninety-four; First of *George* the Fourth, Chapter One hundred and three; First and Second of *George* the Fourth, Chapter Seventy-nine; Fifth of *George* the Fourth, Chapter Sixty-four; Seventh of *George* the Fourth, Chapter Thirty-four; First of *William* the Fourth, Chapter Fifty-four; Fourteen and Fifteenth of *Victoria*, Chapter Twenty-six; Twenty-third and Twenty-fourth of *Victoria*, Chapter Ninety-two; Twenty-fourth and Twenty-fifth of *Victoria*, Chapter Seventy-two; Twenty-eighth and Twenty-ninth *Victoria*, Chapter Twenty-two:

And whereas it is expedient that certain of the Restrictions imposed by the recited Acts as to the Description of Net, or Mode

of fishing for and taking Herrings and Herring Fry on the Coasts of *Scotland* should be removed, and that the recited Acts should be amended in certain other respects:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After passing of Act Restrictions on Mode of fishing for Herrings removed.

1. From and after the passing of this Act, notwithstanding anything in the recited Acts or any of them to the contrary, it shall be lawful to fish for and take Herrings and Herring Fry at all Places on the Coasts of *Scotland*, in any manner of way, and by means of any Kind of Net having Meshes of a Size not less than that now permitted or required by Law, and to sell, buy, or have in possession Herrings or Herring Fry so fished for and taken; and in lieu of the larger Penalties imposed by the recited Acts or any of them upon Persons using Nets having Meshes of a Size less than that now permitted or required by Law, every Person who shall fish for Herrings or Herring Fry with a Net having Meshes of a Size less than that now permitted or required by Law shall for every such Offence be liable in a Penalty of not less than Five Pounds and not exceeding Twenty Pounds, together with the Forfeiture of the Net.

Section 5. of 23 & 24 Vict. c. 92. repealed.

2. The Fifth Section of the Act passed in the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter Ninety-two, is hereby repealed, and in lieu thereof it is enacted as follows:

Commissioners may make Regulations for Preservation of Order.

It shall be lawful for the Commissioners of the *British* White Herring Fishery from Time to Time to make such Regulations as they shall think fit for the Preservation of Order among the Persons engaged in the Herring Fisheries on the Coasts of *Scotland*, and for preventing such Persons from destroying, injuring, or carrying off each other's Nets, or the Fish therein, or Floats, Buoys, or other Fishing Implements or Apparatus; and every Person who commits any Breach or Contravention of any such Regulations shall be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence; and the Boat in or from which such Person shall commit such Breach or Contravention, and all sailing, rowing, or steering Gear connected therewith, may be seized and detained by any Superintendent appointed under the Authority of the recited Acts or any of them, or by any Person acting under his Orders, or by any Officer of the Fishery or by any Person acting under his Orders, or by Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under the recited Acts or any of them, or under this Act, for such Period, not exceeding Thirty Days, as the Commissioners shall determine. And the

Penalties for Contravention of Regulations.

the Herrings or Herring Fry in the Possession of the Person committing such Breach or Contravention, and the Nets, Floats, Buoys, and other Fishing Implements or Apparatus used by him, may be seized by any Superintendent appointed under the Authority of the recited Acts or any of them, or by any Person acting under his Orders, or by any Officer of the Fishery or by any Person acting under his Orders, or by Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under the recited Acts or any of them, or under this Act, and may be forfeited.

Regulations may be rescinded or altered.

3. The Commissioners may from Time to Time rescind, alter, or amend any Regulation or Regulations made by them under the Authority of this Act.

Regulations to be submitted to and approved by Treasury, and published.

4. All Regulations made by the Commissioners under the Authority of this Act, or Amendments or Alterations thereof, shall, before taking effect, be submitted to and approved by the Commissioners of Her Majesty's Treasury, and shall thereafter be published by printed Copies thereof being posted up in conspicuous Positions near the Harbours or other Places frequented by Fishermen, in the Districts or Places to which the Regulations shall apply, and by printed Copies thereof being deposited with every Officer of the Fishery in such Districts or Places, and in the Office of the Sheriff Clerk or Sheriff Clerks of the County or Counties within which such Districts or Places are situated, and also by Advertisement inserted once in each of Two Newspapers published or circulated in such Districts or Places, either setting forth such Regulations in full, or intimating that such Regulations have been made, and that Copies thereof have been deposited with the Officers of the Fishery as aforesaid, all in such Manner as the Commissioners shall direct; and after such Regulations shall have been so published it shall not be any Defence against Proceedings for the Enforcement of any Penalty or Forfeiture incurred by any Breach or Contravention thereof that the Person charged with such Breach or Contravention was or alleged himself to be ignorant of such Regulations: Provided always, that such Regulations shall have been so published at least One Week before the same can be enforced; and a printed Copy of any Regulation, signed by the Secretary of the Commissioners for the Time being, shall be Evidence of the Terms of such Regulation, and that the same has been duly published, reserving to any Person having Interest the Right to prove that the same was not so published.

Penalty for resisting Persons acting under the

5. Every Person who shall resist or obstruct any Person acting under the Orders of the Naval Superintendent appointed under

Orders of Naval Superintendent.

the Authority of the recited Acts or any of them, in the Execution of the Powers or Duties conferred on or intrusted to him by or under any of the recited Acts or by or under this Act, shall be liable to a Penalty not exceeding Fifty Pounds, or, failing Payment thereof, to Imprisonment for any Period not exceeding Sixty Days.

Penalty for resisting Superintendents, Fishery Officers, &c.

6. Every Person who resists or obstructs any Superintendent appointed under the Authority of the recited Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety-two, or any Person acting under his Orders, or any Officer of the Fishery or any Person acting under his Orders, in the Exercise of any of the Powers conferred on, or in the Execution of any of the Duties entrusted to, such Superintendent or Officer or the Persons acting under their Orders respectively, by or under any of the recited Acts, or by or under this Act, shall be liable to a Penalty not exceeding Fifty Pounds, and, failing Payment thereof, to Imprisonment for any Period not exceeding Sixty Days.

Powers, &c. of 23 & 24 Vict. c. 92. and 24 & 25 Vict. c. 72. extended to this Act.

7. All the Powers, Jurisdictions, and Authorities given, created, or conferred by the recited Acts of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety-two, and the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Seventy-two, or either of them, for carrying into effect the Purposes of those Acts respectively, shall, in so far as consistent with the Provisions hereof, be held to extend to and be incorporated with this Act; and all Forfeitures and Penalties imposed by or incurred under the Provisions of this Act may be prosecuted, declared, and enforced after the Forms and according to the Rules and Procedure prescribed by the said recited Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety-two: Provided always, that where any Herrings or Herring Fry shall have been seized as being liable to Forfeiture under the Provisions of the recited Acts or any of them, or of this Act, or of any Regulations made or to be made by the Commissioners as therein or herein provided, it shall be lawful for any Superintendent or any Officer of the Fishery, or any Person acting under their Orders respectively, to destroy such Herrings or Herring Fry, or to sell them as soon as may be by open Sale, as he shall think fit; and, if sold, the Proceeds, after deducting Expenses, shall, in the event of a Forfeiture being obtained, be accounted for to the Commissioners of Her Majesty's Treasury, or if the Sheriff, Justice, or Magistrate declaring the Forfeiture shall so direct, One Half thereof shall be paid to the Captor or Informer; or, in the event of no Forfeiture being

being obtained, the Proceeds, after deducting as aforesaid, shall be paid over, on Demand, to the Person in whose Possession the said Herrings or Herring Fry were when seized, unless such Person shall have absconded from Justice during the whole or any Part of the Period of Six Months from the Date of such Seizure; and all Penalties imposed and recovered under the Provisions of the recited Acts or any of them, or of this Act, shall be appropriated and disposed of in Terms of the Forty-eighth *George* the Third, Chapter One hundred and ten.

Nothing to affect Provisions of 6 & 7 Vict. c. 79. or of French Convention.

8. Nothing contained in this Act shall affect the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to carry into effect a Convention between Her Majesty and the King of the* French *concerning the Fisheries in the Seas between the* British *Islands and* France, or the Provisions of the Convention therein referred to, or the Provisions of any Act passed or to be passed for altering, amending, or repealing the said Act, or for carrying into effect a new Fishery Convention recently made between Her Majesty and the Emperor of the *French*.

Partial Repeal of recited Acts.

9. The recited Acts, and all other Laws, Statutes, and Usages, shall be and the same are hereby repealed, in so far as necessary to give Effect to the Provisions of this Act, but in all other respects they shall remain in full Force and Effect.

Sect. 6. of 23 & 24 Vict. c. 92. repealed.

10. The Sixth Section of the "Herring Fisheries (*Scotland*) Act, 1860," shall be and the same is hereby repealed.

Interpretation of Terms.

11. Unless there is anything in the Context repugnant to such Construction, the following Words in this Act shall have the Meanings hereby assigned to them:

The Words "the Commissioners" shall mean the Commissioners of the *British* White Herring Fishery:

The Word "Superintendent" shall mean and include the Naval Superintendent or any Superintendent appointed under the Authority of the recited Acts or any of them:

The Words "Officer of the Fishery" shall mean an Officer of the *British* White Herring Fishery appointed under the Authority of the recited Acts or any of them:

The Words "the Coasts of *Scotland*" shall mean and include all Bays, Estuaries, Arms of the Sea, and all Tidal Waters within the Distance of Three Miles from the Mainland or adjacent Islands.

12. This

Short Title.

12. This Act may be cited for all Purposes as "The Herring Fisheries (*Scotland*) Act, 1867."

Commencement of Act.

13. This Act shall take effect from and after the passing thereof.

Only to apply to Scotland.

14. This Act shall only apply to *Scotland* and the Coasts thereof.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

since the Year One thousand eight hundred and twenty-four advanced out of the Consolidated Fund, under the Authority of the Acts (Public) of the Third of *George* the Third, Chapter One hundred and twelve, the Fifty-seventh of *George* the Third, Chapter Thirty-four, and First and Second of *William* the Fourth, Chapter Thirty-three, divers Sums of Money, amounting in the whole to the Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence, to the *Limerick* Bridge Commissioners, and their Successors, the *Limerick* Harbour Commissioners, who were from Time to Time respectively authorized to borrow Money under the Powers of the Acts (Public and Local) of the Fourth of *George* the Fourth, Chapter Ninety-four, Fourth and Fifth of *William* the Fourth, Chapter Eighty-four, and Tenth and Eleventh Years of Her Majesty, Chapter One hundred and ninety-eight, (herein-after called the recited Acts,) for the Purpose of erecting a Bridge at *Limerick* called "*Wellesley Bridge*," and of forming certain floating and other Docks and Works for the Improvement of the Port of *Limerick*, and such Sums were advanced from Time to Time on the Security of certain Indentures of Mortgage of the Rates and Duties authorized to be levied from Time to Time in the Port of *Limerick*, and on the Tolls levied from Time to Time on *Wellesley Bridge*, under the Powers of the recited Acts or some of them:

And whereas that Portion of the said Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence advanced by the late Loan Commissioners was afterwards transferred to and became vested in the Commissioners of Public Works, under and by virtue of the Provisions of the Act of the First and Second of *William* the Fourth, Chapter Thirty-three:

And whereas there is a Sum of Two hundred and thirty thousand Pounds and upwards remaining due to the Commissioners of Public Works in respect of such Advances, including Interest, (after deducting the Payments annually made in respect of Principal and Interest,) and the said Commissioners of Public Works are now and have been for some Years in possession as Mortgagees of the Tolls, Rates, and Duties levied in the said Harbour, to secure the Payment of the Debt and Interest due thereon:

And whereas *Wellesley Bridge* has been for some Years completed, and opened for public Traffic, by means of a Part of the Principal Money so advanced out of the Consolidated Fund, and the Commissioners of Public Works, as Mortgagees, are in possession of the Tolls annually taken thereon:

And whereas the Tolls, Rates, and Duties heretofore payable in respect of the said Bridge, and imposed on the said Port and Harbour of *Limerick*, have not only proved insufficient to pay the

Principal

Principal and Interest of the said Debts respectively, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said Port to compete with rival Ports on more favourable Terms, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt:

And whereas the *Limerick* Harbour Commissioners have applied for an Act (the Short Title of which is "The *Limerick* Harbour Act, 1867,") to authorize them to levy certain Tolls, Harbour Rates, and Duties in lieu of the Tolls, Rates, and Duties heretofore authorized, so as to provide sufficient Means (after Charges for Maintenance, as herein-after mentioned,) to secure the Payment of the Annuity by this Act authorized, and also to alter the Constitution of their Body, and for other Purposes; but such Powers are not to be put into force until this Act comes into operation: 30 & 31 Vict. c. clv.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The *Limerick* Harbour (Composition of Debt) Act, 1867." Short Title.

2. This Act shall commence and take effect from and immediately after the passing of the same. Commencement of Act.

3. In this Act— Interpretation of Terms.

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being:

The Terms "the *Limerick* Harbour Commissioners" and "the Harbour Commissioners" mean the *Limerick* Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the said *Limerick* Harbour Act, 1867:

The Term "Commissioners of Public Works" means the Commissioners of Public Works in *Ireland* for the Time being:

The Term "Harbour Rates" includes all Rates and Duties leviable from Time to Time in the Port and Harbour of *Limerick* under "The *Limerick* Harbour Act, 1867."

4. It

Manner of compounding the said Debt of 230,000*l.* and upwards.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any Two or more of such Commissioners, and under the Common Seal of the *Limerick* Harbour Commissioners, to compound the said several Debts due by the *Limerick* Harbour Commissioners, as follows; *viz.*, that the Debt due and owing in respect of the Sums advanced from Time to Time as aforesaid shall be assumed to be and shall be taken at the Sum of Sixty-five thousand Pounds, and the same shall be recorded in the Form in Schedule B. to this Act annexed.

Mode of Payment of compounded Debt.

5. Of the said Sum of Sixty-five thousand Pounds, the Sum of Fifty-five thousand Pounds, deducting therefrom any Sum which may have accrued from Harbour Dues after paying Maintenance and other Charges connected with the Harbour after the First Day of *July* One thousand eight hundred and sixty-six, shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge calculated at the Rate of 4·0729 *per Centum* Principal and Interest, the same to be paid by half-yearly Instalments, for a Period of Fifty Years, on every First Day of *May* and First Day of *November* in each Year, commencing on the First Day of *May* One thousand eight hundred and sixty-eight, the said Annuity to be in the Form, as near as may be, in Schedule A. to this Act annexed, and to be chargeable and charged upon the Harbour Tolls, Rates, and Duties, and upon all Lands and Property of the Harbour Commissioners, and the remaining Sum of Ten thousand Pounds shall be a First Charge upon *Wellesley Bridge* at Three and a Quarter *per Centum per Annum*, as herein-after mentioned: Provided always, that it shall be lawful for the Commissioners of Public Works, out of the Money in their Hands received or to be received in respect of the Harbour Rates on account of the *Limerick* Harbour Commissioners from the Date of the last Payment into the Exchequer, to pay to the Harbour Commissioners the Sum of One thousand five hundred Pounds, to be applied by them to the Purposes of this Act and "The *Limerick* Harbour Act, 1867."

30 & 31 Vict. c. clv.

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument, to be executed as aforesaid, such additional Terms, Conditions, and Agreements as the Commissioners of Her Majesty's Treasury may think proper to require and insert therein, and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect, to all Intents and Purposes, as if the same had been contained in this Act.

7. The

Wellesley Bridge to be vested in Commissioners of Public Works.

7. The said Bridge called *Wellesley Bridge*, together with the Tolls payable thereout, shall be vested in the Commissioners of Public Works and their Successors, Commissioners for the Time being; and the Tolls and Receipts of the said Bridge, by this or any other Act authorized, shall be applied by the said Commissioners, in the first instance, in defraying the necessary Costs of Collection thereof, the Costs of the Maintenance and Repairs and Approaches thereto, the Charges and Maintenance of the Swivel Bridge connected therewith, also Lighting and such other Expenses as the said Commissioners may think necessary and requisite to incur; secondly, in paying Interest on the said Sum of Ten thousand Pounds, at the Rate of Three and a Quarter *per Centum per Annum*, at such Times and in such Instalments as the said Commissioners shall from Time to Time appoint and direct; and, thirdly, the Balance or Overplus (if any) from Time to Time to be applied as it may accrue in Reduction of the said Principal Sum of Ten thousand Pounds.

Bridge Tolls to be paid, not exceeding those in Schedule C.

8. From and after the passing of this Act, there shall be paid, for the Use of the Commissioners of Public Works, in the Nature of Tolls, before any Passage over the said Bridge shall be permitted, any Sum which the said Commissioners of Public Works shall direct, not exceeding the Tolls in Schedule C. to this Act annexed, being the Tolls provided by the Act of the Tenth and Eleventh *Victoria*, Chapter One hundred and ninety-seven.

Power to Commissioners to sell Wellesley Bridge.

9. It shall be lawful for the Commissioners of Public Works, with the Sanction of the Commissioners of the Treasury, at any Time to sell, transfer, and dispose of the said Bridge, Approaches, and Swivel Bridge to any Grand Jury or Grand Juries, or any other public Body or Bodies, at and for the said Sum of Ten thousand Pounds, or any Balance of the said Sum which may remain due in respect thereof at the Time of such Sale, it being provided that on such Sale, Transfer, or Disposition being made the said Bridge shall be Toll-free to the Public, and that Provision shall be made for the future due and proper Maintenance of the said Bridge and Approaches thereto, and the Swivel Bridge, in such Manner as may be required by the said Commissioners of the Treasury.

Power to Commissioners to let Wellesley Bridge.

10. It shall be lawful for the said Commissioners of Public Works, from Time to Time, so long as the said Sum of Ten thousand Pounds, and the Interest thereon, or any Part of either, remain due and owing, to demise or let the Tolls and Rates of the said Bridge, subject to such Conditions and Restrictions as the said Commissioners may approve.

11. From

On Payment of Debt Wellesley Bridge to be Toll-free.

11. From and after the Payment of the said Sum of Ten thousand Pounds, and Interest thereon, by such Instalments as aforesaid, or otherwise, and when and so soon as Provision shall be made, to the Satisfaction of the Commissioners of Public Works, for the due and proper Maintenance of the said Bridge and Approaches, and Swivel Bridge, the said Bridge shall be Toll-free to the Public, and be vested in such Grand Jury or Grand Juries, or other public Body or Bodies, so purchasing as aforesaid; and in the event of these Bodies declining to take the said Bridge then the said Tolls and Rates shall continue to be payable, and the said Commissioners of Public Works shall be authorized to demand and receive the same.

Certain Sections in recited Acts repealed.

12. From and after the Date of the Execution of such Deed or Instrument by this Act authorized, the Thirty-fourth, Thirty-fifth, Thirty-sixth, Thirty-seventh, and Thirty-eighth Sections of the Act of the Fourth of *George* the Fourth, Chapter Ninety-four, and the Eleventh and Twenty-first Sections of the Act of the Fourth and Fifth of *William* the Fourth, Chapter Eighty-four, and the Tenth, Eleventh, Twelfth, Nineteenth, Twentieth, Twenty-third, Twenty-fifth, and Twenty-ninth Sections of the Act of the Tenth and Eleventh *Victoria*, Chapter One hundred and ninety-eight, shall be and the same are hereby repealed.

Harbour Commissioners may borrow Money for Graving Dock and to improve Harbour.

13. It shall be lawful for the Public Works Loan Commissioners, after the Execution of the said Deed or Instrument, at any Time to lend to the Harbour Commissioners any Sum of Money, not exceeding Twenty thousand Pounds, out of the Monies placed at their Disposal under the Second Section of the Act of the Twenty-ninth and Thirtieth *Victoria*, Chapter Seventy-two, by way of Annuity or otherwise, in accordance with the Provisions of the "Harbours and Passing Tolls Act, 1861," for the Purpose of enabling the Harbour Commissioners to improve the said Port, and to construct a Graving Dock therein on any Land belonging to the said Harbour Commissioners situate in the said Port, and it shall be lawful for the Harbour Commissioners to make such Improvements in the said Port, and to construct such Dock, and to take Land by Agreement for that Purpose: Provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to the Board of Trade, and on the said Board granting a Certificate in Writing, from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Public Works Loan Commissioners may advance to the Harbour Commissioners the Sums stated

stated in such Certificates respectively, not exceeding in the whole the Sum of Twenty thousand Pounds, and such Sum or Sums so advanced from Time to Time, or the Annuity or Annuities granted for the same, shall be a First Charge on the Harbour Rates authorized to be levied in the Port of *Limerick* under the "*Limerick* Harbour Act, 1867," in priority to the said Annuity payable in respect of the said Sum of Fifty-five thousand Pounds or other less Sum as aforesaid.

For Payment of Debt to Sir T. Deane.

14. And whereas a Sum of Three thousand seven hundred and seventy-nine Pounds Nine Shillings and One Penny is due to Sir *Thomas Deane*, connected with Works executed by him in respect of the Improvement of the Port of *Limerick*, which Debt stands in priority of the said Charge of Two hundred and thirty thousand Pounds upon the Harbour Rates; but, notwithstanding such Priority, Payments have been made to Her Majesty's Exchequer in reduction of the Public Debt: And whereas, without discharging the Debt so due to the said Sir *Thomas Deane*, the Annuities hereby made chargeable upon the Harbour Tolls, Rates, and Dues, and upon all Land and Property of the Harbour Commissioners, could not in Equity form the First Charge upon the same, it shall therefore be lawful for the said Public Works Loan Commissioners, and they are hereby empowered, in addition to the said Sum of Twenty thousand Pounds, and subject to the same Conditions in regard to Repayment, to lend to the said Harbour Commissioners, under the Powers of the said Act of the Twenty-ninth and Thirtieth *Victoria*, Chapter Seventy-two, a Sum not exceeding Three thousand seven hundred and seventy-nine Pounds Nine Shillings and One Penny, to be by them applied in Payment of the Sum so due to the said Sir *Thomas Deane* in priority to any Part of the said Sum of Twenty thousand Pounds being borrowed by the said Harbour Commissioners.

Proceedings for Recovery of Annuity, as prescribed by 1 & 2 W. 4. c. 33.

15. If Default shall be made in Payment of the said first-mentioned Annuity or Rentcharge as herein-before provided, it shall be lawful for the Commissioners of Public Works to proceed for the Recovery thereof by all or any of the Means provided for the Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second of *William* the Fourth, Chapter Thirty-three, entitled *An Act for the Extension and Promotion of Public Works in* Ireland, in like Manner in all respects as if the said Tolls, Rates, Duties, or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

16. And

Court of Chancery to appoint Receiver over Tolls.

16. And it shall also be lawful for the Court of Chancery in *Ireland*, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Tolls, Rates, and Duties, and of the Rents and Profits of all other Premises chargeable with the said first-mentioned Annuity or Rentcharge; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Tolls, Rates, and Duties; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

17. It shall be lawful for the said Commissioners of Public Works, out of the said Tolls, Rates, and Duties, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them, or any Officer or Servants employed by them, in the Execution of this Act.

Public Act.

18. This Act shall be a Public Act, and shall be judicially taken notice of.

The SCHEDULES herein referred to.

SCHEDULE A.

Form of Grant of Annuity.

Grant Annuity, £

By virtue of the Powers of the "Limerick Harbour Act, 1867," and the "Limerick Harbour (Composition of Debt) Act, 1867," we, the Limerick Harbour Commissioners, in consideration of the Sum of accepted by the Commissioners of Her Majesty's Treasury in lieu of the Sum of Pounds, do grant unto the said Commissioners of Her Majesty's Treasury an Annuity or yearly Sum of Pounds, to be issuing out of the Harbour Rates payable under the "Limerick Harbour Act, 1867," such Sum to be paid to the Commissioners of Public Works, or any Person duly authorized by them, in half-yearly Instalments on the Day of in 186 , and on the Day of and on the Day of in every succeeding Year, until the said Sum of Pounds, and Interest thereon, be duly paid.

In witness whereof we have hereunto set our Common Seal, this Day of 186 .

SCHEDULE B.

The Commissioners of Her Majesty's Treasury do hereby acknowledge, that, in accordance with the Terms of "The Limerick Harbour Act, 1867," and "The Limerick Harbour (Composition of Debt) Act, 1867," they do hereby accept the Sum of Fifty-five thousand Pounds, secured to them by the Annuity granted to them, under the Authority of those Acts respectively, by the Limerick Harbour Commissioners, charged on the Harbour Rates to be levied under the "Limerick Harbour Act, 1867," and by the Transfer of Wellesley Bridge to the Commissioners of Public Works, or other Public Body on their Behalf, in full Satisfaction and Payment of the Debt and Interest, amounting to Two hundred and thirty thousand Pounds and upwards, due to the said Commissioners of Her Majesty's Treasury, or to the Commissioners of Public Works on their Behalf, and secured on the Tolls, Rates, and Duties heretofore levied in the Harbour of Limerick, and on other Property belonging to the Limerick Harbour Commissioners, and do hereby declare the said Harbour, Docks, and Works, and the Rates and Duties and other Property of the Limerick Harbour Commissioners, now to be for ever freed and discharged of the said Debt and Interest of Two hundred and thirty thousand Pounds and upwards, and of the Security created or confirmed by the said Mortgages respectively, granted to the Commissioners of Public Works under the recited Acts or any of them, and the said Commissioners of Her Majesty's Treasury hereby consent to the Registration hereof in Dublin for Preservation at

In witness whereof, these Presents are subscribed by us, Two of the said Commissioners, at London, the Day of , in the Year One thousand eight hundred and sixty- , before these Witnesses.

SCHEDULE C.

Bridge Tolls.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny.

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Sixpence, and so in proportion for any greater or less Number.

For every Score of Calves, Sheep, Goats, Lambs, or Swine, the Sum of Fivepence, and so in proportion for any greater or less Number.

For Six or more Horses or other Beasts of Draught drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricle, Chair, Caravan, Hearse, Litter, or other such Carriage, the Sum of One Shilling and Tenpence.

For Three, Four, or Five Horses or other Beasts of Draught drawing any such Carriage, the Sum of One Shilling and Fourpence.

For Two Horses or other Beasts of Draught drawing any such Carriage, the Sum of Elevenpence.

For One Horse or other Beast of Draught drawing any such Carriage, the Sum of Sixpence.

For Four or more Horses or any Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of Elevenpence.

For Three or fewer Horses or other Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of Sixpence.

For Two or more Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of Fourpence.

For One Horse or other Beast of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of Twopence.

For every Passenger passing over the said Bridge, the Sum of One Halfpenny for each and every Time of passing, except such Person or Persons as shall be driven in any Coach, Chariot, Berlin, Chaise, Chair, or Calash, and the Driver or Drivers thereof, and the Footman or Footmen, Servant or Servants thereof, standing behind the same, and except the Driver or Drivers of any Cart, Car, or Waggon, and any Person riding on any Horse, Mule, or Ass.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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for their Opinion or Advice.

having any Concern in the Management or Administration of any Charity for their Opinion, Advice, or Direction respecting such Charity, or the Management or Administration thereof, or the Estate, Funds, Property, or Income thereof, or the Application thereof, or any Question or Dispute relating to the same respectively, and, if they so think fit, may, upon any such Application, give such Opinion or Advice as they may think expedient, subject to any judicial Order or Direction which may be subsequently made or given by any competent Court or Judge, and such Opinion or Advice shall be in Writing signed by Three or more of the said Commissioners; and every Trustee and other Person who shall act upon or in accordance with the Opinion or Advice given by the said Board shall, in respect of so acting, be deemed and taken, so far as respects his own Responsibility, to have acted in accordance with his Trust; and no such judicial Order or Direction subsequently made or given by any Court or Judge shall have any such retrospective Effect as to interfere with or impair the Indemnity by this Act given to Trustees and other Persons who have acted upon or in accordance with such Opinion or Advice of the Commissioners: Provided always, that nothing herein contained shall extend to indemnify any Trustee or other Person for any Act done in accordance with the Opinion or Advice of the Commissioners, if such Trustee or other Person has been guilty of any Fraud or wilful Concealment or Misrepresentation in obtaining such Opinion or Advice.

Persons acting on Advice of Board to be indemnified.

Commissioners may sanction Compromise of Claims on behalf of Charity.

3. If in any Case it appear to the Trustees or Persons acting in the Administration of any Charity that any Claim or Demand or Cause of Suit against any Person in relation to such Charity, or by any Person against any Charity or the Trustees or Administrators thereof, may with Advantage to the Charity, or should, under the special Circumstances of the Case, be compromised or adjusted without taking, resisting, or continuing any Proceedings at Law or in Equity, such Trustees or Persons may, or the Person against whom such Claim, Demand, or Cause of Suit exists or is alleged to exist, or by whom any Claim or Demand is made, may, with the Consent of the Trustees or Persons acting in the Administration of such Charity, submit to the Commissioners a Statement and Proposal for such Compromise or Adjustment; and if it appear to the Commissioners, after such Inquiry in relation thereto as they may deem requisite, or otherwise, that such Proposal, with or without any Modification, is fit and proper, and for the Benefit of the Charity, it shall be lawful for the Commissioners to make such Order for and in relation to such Compromise or Adjustment as they may think fit; and the Commissioners may in like Manner make such

Compromise

Compromise of any Claim, Demand, or Cause of Suit, by or against them, in respect of any Property of which they are Trustees or Managers; and upon the due Performance of the Terms and Conditions of such Compromise or Adjustment as aforesaid such Agreement shall be a final Bar to all Actions, Suits, Claims, or Demands, by or on behalf of the Charity concerned therein, in respect of the Cause of Action, Suit, or Matter in respect to which such Compromise or Adjustment shall have been made.

Notices of legal Proceedings as to any Charity by any Person, except the Attorney General, to be given to the Board.

4. Before any Suit, Petition, or other Proceeding (not being an Application in any Suit or Matter actually pending) for obtaining any Relief, Order, or Direction concerning or relating to any Charity, or the Estate, Funds, Property, or Income thereof, shall be commenced, presented, or taken by any Person other than Her Majesty's Attorney General, there shall be transmitted by such Person to the Commissioners Notice in Writing of such proposed Suit, Petition, or Proceeding, and such Statement, Information, or Particulars as may be requisite or proper, or may be required from Time to Time by the Commissioners, for explaining the Nature and Objects thereof: Provided always, that nothing hereinbefore contained shall make any Decree, Judgment, Order, or Direction in any Suit, Petition, or Proceedings in which the said Commissioners have not been made Parties binding and final as against the said Commissioners.

Power to Commissioners to certify certain Cases to the Attorney General.

5. In any Case in which it shall appear to the Commissioners that the Institution of legal Proceedings is requisite or desirable with respect to any Charity, or the Estates, Funds, Property, or Affairs thereof, the Commissioners may authorize or direct such Proceedings to be instituted, and give such Directions in relation thereto as they may think proper, and thereupon such Proceedings may be instituted accordingly without any such previous Notice in Writing as herein-before directed; and if it shall appear desirable that any such Proceedings should be instituted by the Attorney General, it shall be lawful for the Commissioners, if they so think fit, to certify such Case, in Writing under the Hand of the Secretaries of the Commissioners, to Her Majesty's Attorney General, together with such Statements and Particulars as in the Opinion of the Commissioners may be requisite or proper for the Explanation of such Case; and thereupon the said Attorney General, if upon Consideration of the Circumstances he thinks fit, shall institute and prosecute such legal Proceedings as he shall consider requisite or proper under the Circumstances of the Case.

6. When-

Commissioners may sue by Civil Bill for Charitable Bequests not exceeding 50*l.*, or for Arrears of Annuities or Rentcharge not exceeding 20*l.*

6. Whenever any Sum not exceeding Fifty Pounds on Foot of any Charitable Donation or Bequest, or any Sum not exceeding Twenty Pounds on Foot of any annual Sum or Rentcharge, shall be due to the Commissioners or other the Trustee or Trustees of any Charity, and shall remain unpaid for the Space of Thirty-one Days next after the same shall be due, it shall be lawful for the Commissioners, or for the said Trustee or Trustees, with the Sanction of the Commissioners, to recover the same by Civil Bill, in the Court of proper Jurisdiction, against the Person or Persons who shall be liable to pay the same.

In case of certain Bequests, &c., Commissioners may apply or sanction Cypres Doctrine to Funds vested in them or in Trustees respectively.

7. Whenever any Charitable Donation or Bequest not exceeding in Amount the Sum of One hundred Pounds, or the Income of any Charity the gross annual Value of which shall not exceed Ten Pounds, shall be vested in any Trustee or Trustees, or shall have been recovered by or shall be in any other Manner vested in the Commissioners, and it shall be found unlawful or impracticable to apply the same according to the Direction or Intention of the Donor or Donors, it shall be lawful for such Trustee or Trustees, with the Consent in Writing of not less than Five of the Commissioners, or for the Commissioners, as the Case may be, to apply the same to such charitable and pious Purposes as they shall judge to be nearest and most conformable to the Directions and Intentions of the Donor or Donors: Provided always, that the Commissioners may grant or withhold such Consent, or forbear otherwise to act under this Section, as they may think fit.

In case of certain Bequests, &c., Trustees or Commissioners may state a Case for Approval of Court of Chancery.

8. Whenever the Amount of any Charitable Donation or Bequest which shall be greater than One hundred Pounds but shall not exceed Five hundred Pounds, or the clear annual Value of the Income of the Property of any Charity which shall be greater than Ten Pounds but shall not exceed Forty Pounds, shall be vested in any Trustee or Trustees, or shall have been recovered by or shall be in any other Manner vested in the Commissioners, and it shall be found unlawful or impracticable to apply the same according to the Direction or Intention of the Donor or Donors, it shall be lawful for such Trustee or Trustees, with the Consent in Writing of not less than Five of the Commissioners previously obtained, or for the Commissioners, as the Case may be, to present a Petition to the Court of Chancery in *Ireland*, stating the Nature and Amount of such Charitable Donation, Bequest, Property, or Income, the Direction or Intention of the Donor or Donors in respect thereof, and the Reason why it is found unlawful or impracticable to apply the same according to such Direction or Intention, and,

and, if the Commissioners shall think fit, proposing a Scheme for the Application thereof, for the Approval of the Court, and praying that the Court may order the same to be applied to such charitable or pious Purposes as shall be deemed to be nearest and most conformable to the Directions and Intentions of the Donor or Donors; and it shall be lawful for the Court to hear such Petition in a summary Way, and upon Affidavits, or such other Evidence as shall be produced upon such Hearing, to determine the same and give Judgment thereon, and to settle and approve of the said Scheme with or without Variation, or to settle, approve of, and appoint some other Scheme for such Purpose; and such Judgment shall bind all such Persons as the Court shall direct, and in default of such Direction then shall bind the Trustee or Trustees or the Commissioners who have presented the Petition.

Any Person or Trustee may transfer Fund to Commissioners with their Consent, to be held by them in trust.

9. It shall be lawful for any Person entitled to any present or future Interest in any Fund, whether consisting of Government Stock or Annuities, Stock or Shares in any public Company, or Monies invested on any other Security, by Deed duly executed, and with the Consent in Writing of the Commissioners previously obtained, or by Will or Codicil, to assign or bequeath his Interest in such Fund, or in any Part thereof, to the Commissioners in trust for any such charitable or pious Purposes as he may direct; provided that the Commissioners shall not be bound to accept of any such Bequest; and it shall also be lawful for any Person in whom any Fund shall be vested in trust for any charitable or pious Purpose, with the Consent in Writing of the Commissioners, to transfer to them all or any Part of such Fund to be held by them for the Purpose aforesaid; and the Fund so assigned, bequeathed, and accepted or transferred, as the Case may be, shall thenceforth be held by the Commissioners upon and for the Trusts and Purposes upon and for which the same respectively shall have been assigned, bequeathed, or transferred, or such of the same Trusts and Purposes as shall for the Time being be subsisting or capable of taking effect: Provided always, that in all Cases in which the Commissioners shall accept of any Trust Fund under this Clause, it shall be lawful for them by any Order under their Seal from Time to Time to nominate such Person or Persons as they shall deem proper to administer, distribute, or apply such Trust Fund or the Income thereof under their Directions, and from Time to Time by like Orders to remove any such Persons and substitute others in their Place.

Full Number of Trustees necessary to make Application lawful.

10. Provided always, That when such Charitable Donation or Bequest shall have been originally vested in more than One Trustee and not more than Six Trustees, it shall not be lawful for the

Trustee or Trustees to apply any Charitable Donation or Bequest under the Seventh Section, or otherwise act under that Section, or to present a Petition to the Court of Chancery under the Eighth Section, or otherwise act under that Section, or to make any Transfer under the Ninth Section, or otherwise act under that Section of this Act, so long as there shall be fewer Trustees than the original Number appointed to act in the Trusts or Execution of such Charitable Donation or Bequest, nor without the Consent of all the Trustees having been first signified in Writing signed by them, such Writing to be deposited with the Commissioners; provided also, that when such Charitable Donation or Bequest shall have been originally vested in more than Six Trustees, it shall be lawful for Two Thirds of such Trustees, not being less than Six in Number, to apply as aforesaid under the said Seventh Section, or to present a Petition as aforesaid under the said Eighth Section, or to make such Transfer as aforesaid under said Ninth Section.

Deeds, &c. may be deposited in Repository provided by Commissioners.

11. It shall be lawful for any Trustees or other Persons having the Custody of any Deeds or Muniments of or relating to any Charity to deposit the same for Security in a Repository which may be provided by the Commissioners, subject to any Regulations to be made by the Commissioners under this Act.

Consent of Commissioners necessary to any Change of Investment by Trustees of Funds held for charitable or pious Purposes.

12. When, under the Provisions of any Deed, Will, or other Instrument, any Fund, whether consisting of Government Stock or Annuities, Stock or Shares in any public Company, or Monies invested on any other Security, shall be held by any Person or Persons upon trust, after the Determination of or subject to any prior Life or other limited Interest or Interests, for any charitable or pious Purposes, such Trustee or Trustees shall, before they shall proceed to vary, alter, or transpose the Stock, Annuities, Shares, or Securities in or upon which such Fund, or any Part thereof, shall for the Time being be invested, give Notice in Writing to the Commissioners of his or their Intention so to do, and shall not so vary, alter, or transpose the same, or any Part thereof, for the Space of One Month after such Notice; and if within such Month the Commissioners shall give Notice in Writing to such Trustee or Trustees that they object to such Variation, Alteration, or Transposition, and specify the Grounds of such Objection, such Trustee or Trustees shall not proceed to make such Variation, Alteration, or Transposition without the Leave of the Court of Chancery to be obtained as herein-after directed; and it shall thereupon be lawful for the said Trustee or Trustees to apply to the Court of Chancery, by Petition in a summary Way, for the Opinion of the Court as to the Propriety of such Variation, Alteration, or Transposition, and the

the said Trustee or Trustees shall give Notice of such Application to the Commissioners, and to any other Persons whom the Court may direct, and the Court may thereupon make such Order as shall seem just, which Order shall be binding on said Trustee, Trustees, and Commissioners, as to the Propriety of such Variation, Alteration, or Transposition, and the said Court shall have Power to make such Order as to the Costs of such Proceeding, and the Fund out of which the same shall be paid, as shall seem fit.

Commissioners may sanction Building Leases, working Mines, doing Repairs and Improvements;

13. If in any Case it appear to the Trustees or Persons for the Time being acting in the Administration or Management of any Charity, or the Estates or Property thereof, that any Part of the Charity Lands or Estates may be beneficially let on Building, Repairing, Improving, or other Leases, or on Leases for working any Mine, or that the digging for or raising of Stone, Clay, Gravel, or other Minerals, or the cutting of Timber, would be for the Benefit of the Charity, or that it would be for the Benefit of such Charity that any new Road or Street should be formed or laid out, or any Drains or Sewers made, through any Part of the Charity Estates, or that any new Building should be erected, or that any existing Building should be repaired, altered, rebuilt, or wholly removed, or that any other Improvements or Alterations in the State or Condition of the Lands or Estates of such Charity should be made, it shall be lawful for such Trustees or Persons to lay before the Commissioners a Statement and Proposal in relation to any of the Matters aforesaid; and it shall be lawful for the Commissioners, if they think that the Leases or Acts to which the Statement and Proposal relate (with or without Modifications or Alterations) would be beneficial to the Charity, to make such Order under their Seal for and in relation to the granting of such Leases, or the doing of any other such Acts as aforesaid, and any Circumstances connected therewith, as they may think fit, although such Leases or Acts respectively shall not be authorized or permitted by the Trust; and it shall be lawful for the Commissioners in respect of Property of which they are the Trustees or Managers to execute such Leases, and do such Acts for any of the said Purposes, as they may think fit; and the said Commissioners by any such Order may authorize the Application of any Monies or Funds belonging to the Charity to which such Order refers for any of the Purposes or Acts aforesaid, and, if necessary, may authorize the Trustees of any Charity to which any such Order refers to raise any Sum of Money by Mortgage of all or any Part of the said Charity Estates, and the Commissioners in like Manner may raise any Sum of Money by Mortgage of all or any Part of the Property belonging to such Charity in respect of which they are Trustees or Managers;

and may authorize the Application of the Charity Funds, or the raising of Money on Mortgages, for those Purposes.

Managers; provided that compulsory Provisions be reserved in every such Mortgage for the Payment of the Principal Money borrowed by annual Instalments, and for the Redemption and Reconveyance of the mortgaged Estates within the Period of not more than Thirty Years.

Commissioners under special Circumstances may authorize or make Sale or Exchange of Charity Lands.

14. When Application shall be made to the Commissioners by the Trustees or Persons acting in the Administration of any Charity representing that, under the special Circumstances of any Land belonging to any Charity, a Sale or Exchange or a Surrender of a Lease of such Land can be effected on such Terms as to increase the Income of the Charity, or as otherwise to be advantageous to the Charity, the Commissioners may, if they think fit, inquire into such Circumstances, and if after Inquiry they are satisfied that the proposed Sale or Exchange or Surrender will be advantageous to the Charity, or if it appear to the Commissioners, in respect of any Property of which they are Trustees or Managers, that any Sale, Exchange, or Surrender of a Lease of any Land being Part of such Property would be beneficial to the said Property, they may authorize or make such Sale or Exchange or Surrender, and give such Directions in relation thereto, and for securing the due Investment of the Money arising therefrom, for the Benefit of the Charity, as they may think fit.

Commissioners may authorize the Redemption of Rentcharges.

15. The Commissioners shall have Authority, upon Application and after Inquiry as aforesaid, or in case it shall appear to them to be of Advantage to any Charity of the Property of which they are Trustees or Managers, to authorize or make a Sale to the Owner of the Land charged therewith of any Rentcharge, Annuity, or other periodical Payment charged upon Land, and payable to or for the Benefit of any Charity, or applicable to Charitable Purposes, upon such Terms and Conditions as they may deem beneficial to the Charity, and to give such Directions for securing the due Investment of the Money arising from such Sale for the Benefit of the Charity, or for securing the due Application thereof to such Charitable Purposes as they may think fit, and in like Manner the Commissioners, or other the Trustees of any Charity, with the Consent of the Commissioners, may purchase any Rentcharge or other yearly Payment to which the Charity Estate is or shall be liable.

A Majority of Trustees to have legal Power of dealing with the Charity Estates.

16. A Majority of Two Thirds of the Trustees of any Charity assembled at a Meeting of their Body duly constituted, and having Power to determine on any Sale, Exchange, Partition, Mortgage, Lease, or other Disposition of any Property of the Charity, shall have a legal Power, on behalf of themselves and their Co-Trustees,

to

to do, enter into, and execute all such Acts, Deeds, Contracts, and Assurances as shall be requisite for carrying into legal Effect any such Sale, Exchange, Partition, Mortgage, Lease, or Disposition, and all such Acts, Deeds, Contracts, or Assurances shall have the same legal Effect as if the same were respectively done, entered into, or executed by all the acting Trustees for the Time being.

Leases, Sales, &c. authorized by the Board to be valid.

17. The Leases, Sales, Exchanges, and other Transactions authorized by the Commissioners under the Powers of this Act shall have the like Effect and Validity as if they had been authorized by the express Terms of the Trust affecting the Charity.

Trustees of Charities enabled to purchase Sites for Buildings from Owners under Disability, &c., according to the Provisions of 8 & 9 Vict. c. 18.

18. Where any Land shall be required for the Erection or Construction of any House or Building, with or without Garden, Playground, or other Appurtenances, for the Purposes of any Charity, and the Commissioners or other the Trustees of the Charity shall be authorized to purchase and hold such Land, but by reason of the Disability of any Person having an Estate or Interest in such Land, or of any Defect in Title thereto, a valid and perfect Assurance of the same Land cannot be made to the Commissioners or other the Trustees of the Charity in the ordinary Manner, it shall be lawful for the Commissioners or for the Trustees of the Charity, with the Sanction of the Commissioners (such Sanction to be certified under the Hand of their Secretary), to take and purchase such Land according to the Provisions of "The Lands Clauses Consolidation Act, 1845;" and for that Purpose all the Clauses and Provisions of the last-mentioned Act with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making a Title, and also with respect to Conveyances of Lands, so far as the same Clauses and Provisions respectively are applicable to the Cases contemplated by this Provision, shall be incorporated in this Act; and in all Cases contemplated by this Provision the Expression "the Special Act" used in the said Clauses and Provisions of the said "Lands Clauses Consolidation Act" shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking" used in the same Clauses and Provisions shall be construed to mean the Commissioners or other the Trustees of the Charity in question.

Executors or Administrators to publish Advertisements, stating Charitable Devises or Bequests.

19. Whenever there shall be contained in any Will a Charitable Devise or Bequest, the Persons or Person to whom Probate of any such Will, or Letters of Administration with such Will annexed, shall be granted shall, within Three Calendar Months next after obtaining the same, publish once in the *Dublin Gazette* and Three Times successively in some Paper circulating in the Locality where such

such Devise or Bequest, or the greater Part thereof, is directed to be expended or applied, or if there be no Direction as to any such Locality, then in some Newspaper published in *Dublin*, every Charitable Devise or Bequest contained in such Will, the Name of the Testator and Date of such Will or Codicil, and the Name of the Person or Persons to whom such Charitable Devise or Bequest is given and bequeathed, and the Name of the Person or Persons appointed by the Testator for the Management and Direction thereof; and the Expense of such Publication shall be paid by the said Executor or Executors, Administrator or Administrators, out of the Estate or Funds devised or bequeathed to the said respective Charities; and every such Person or Persons who shall neglect to publish the same in manner hereinbefore required shall for every such Neglect be liable to a Penalty not exceeding Twenty Pounds Sterling, to be recovered by the Commissioners, who shall sue for the same by Civil Bill in the Court of proper Jurisdiction: Provided always, that any Sum or Sums recovered by way of Penalty or Penalties for such Neglect by the Commissioners from any Executor or Executors, Administrator or Administrators, shall be accounted for and paid to the Lords Commissioners of Her Majesty's Treasury, or applied in such Manner as they shall direct.

Registrars of Court of Probate to make Return to Commissioners of Charitable Donations, &c. of every Charitable Donation contained in any Will entered in the Office of such Registrars.

20. From and after the Commencement of this Act the Registrars of the Court of Probate shall make a Return to the Commissioners between the First Day of *July* and the First Day of *November* in every Year, certified by them under their Hands, of every Charitable Devise or Bequest contained in any Will which shall be entered in the Office of such Registrar, or of which a Copy shall have been forwarded to him from the Office of any of the District Registrars in *Ireland*, or from the Registrar of the Court of Probate in *England*, during the Year next preceding, which Return shall likewise contain the Name of the Testator, the Name or Names of the Person or Persons to whom Probate of any such Will, or Letters of Administration with such Will annexed, shall have been granted, with the Date of such Will, Probate, or Administration; and the same shall be lodged with One of the Secretaries of the said Commissioners; and every such Officer as aforesaid who shall neglect to make such Return as aforesaid shall forfeit the Sum of Twenty Pounds Sterling, to be recovered by the Commissioners, who shall sue for the same by Civil Bill in the Court of proper Jurisdiction.

Officers having Custody of Records to

21. Any Officer having the Custody of Enrolments, Decrees, Reports, Records, and other Documents relating to or concerning any Charity, shall furnish such Copies or Extracts as shall be required

required by the Commissioners; and every Secretary or other Officer of the said Commissioners for the Time being employed for the Purpose of this Act shall be at liberty, by the Authority and under the Directions of the Commissioners, and subject to such Regulations as the Commissioners may make in that Behalf, to examine and search the Registers and Records of every Court of Law and Equity, and every Ecclesiastical Court, and every Public Registry and Office of Records, and to take Copies of and Extracts from any Decree or Document recorded or registered or deposited therein respectively, for any of the Purposes of this Act, without Fee or Payment in respect thereof.

Commissioners to furnish Copies and Extracts if required by Commissioners.

22. No Matter or Thing done by the Commissioners or by any Commissioner, or by any Officer or Person whomsoever acting under the Directions of the Commissioners, shall, if the same is done *boná fide* for the Purpose of executing this Act or the recited Act of the Seventh and Eighth Years of the Reign of Her Majesty, subject them, him, or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Costs or Expenses incurred by them, him, or any of them in the Management or Administration or for the Preservation or Recovery of any Property vested in the Commissioners, or otherwise in the Execution of this Act, may be borne by and deducted by the Commissioners from the Estate and Funds of the Charity in respect of which the said Costs and Expenses were incurred.

Persons acting in Execution of Act not to be personally liable.

Costs to be borne by Charity.

23. A Judge of any of the Superior Courts of Law or Equity or of the Landed Estates Court in *Ireland* shall not be prevented or disabled by reason solely of his being a Commissioner from hearing and determining any Case relating to a Charity, or any Case which may arise under the Provisions of this Act, but he shall have Jurisdiction to hear and determine the same as if he were not such Commissioner.

Judge being a Commissioner not to disqualify him from hearing Charity Cases.

24. From and after the First Day of *April* One thousand eight hundred and sixty-eight no Payments shall be made out of the Consolidated Fund for the Salaries of the Secretaries, Officers, Clerks, and Servants, or for the Expenses of carrying on the Business of the Commissioners, but such Salaries and Expenses not otherwise provided for shall be paid out of Monies to be voted by Parliament for that Purpose.

After 1st April 1868 Salaries of Officers to be paid out of Money to be voted by Parliament.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LV.

An Act to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in *Scotland* may be granted.

[15th *July* 1867.]

WHEREAS by an Act of the Twenty-ninth and Thirtieth Years of Her present Majesty, Chapter Fifty-one, intituled *An Act to amend the Acts relating to Lunacy in* Scotland, *and to make further Provision for the Care and Treatment of Lunatics*, it is enacted, Section Seven, that in no Case shall the Sheriff's Order for the Reception and Detention of any Lunatic in any Asylum or House remain in force longer than the First Day of *January* then first occurring after the Expiry of Three Years from the Date on which it was granted, or than the First Day of *January* in each succeeding Year, unless the Superintendent or Medical Attendant of the Asylum or House in which the Lunatic is detained shall, on each of the said First Days of *January*, or within Fourteen clear Days immediately preceding, grant, and transmit to the General Board of Lunacy in *Scotland*, a Certificate, on Soul and Conscience, according to the Form in Schedule (A.) annexed to the said Act, that the Detention of the Lunatic is necessary and proper, either for his own Welfare or the Safety of the Public: 29 & 30 Vict. c. 51.

And whereas, through Ignorance, or Misapprehension of the said Enactment, there has been an Omission on the Part of the Superintendents or Medical Attendants of a large Number of the Asylums or Houses in *Scotland* for the Reception and Detention of Lunatics, to grant and transmit the Certificates required by the before-recited Enactment:

And, for preventing any Inconvenience that might happen in consequence of such Omission, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certificates under Sect. 7. of 29 & 30 Vict. c. 51., granted on or before 1st October 1867, to have the same Effect as if granted on or before 1st January 1867.

1. Every Certificate granted and transmitted on or before the First Day of *October* of the present Year, but in other respects in accordance with the Provisions of the said Seventh Section of the recited Act and relative Schedule, shall have the same Effect in continuing in force the Sheriff's Order for the Reception and Detention of the Lunatic therein referred to as if the same had been granted and transmitted to the said General Board of Lunacy on the First Day of *January* of the present Year, and all Orders granted by Sheriffs for the Reception and Detention of any Lunatics in any Asylum or House shall continue in force till the said First Day of *October* in this present Year, notwithstanding the Omission to grant and transmit the Certificates aforesaid: Provided always, that, except in so far as hereby expressly provided, the said Seventh Section of the recited Act shall remain in full Force and Effect.

Indemnity to Persons who omitted to grant Certificates on or before 1st January 1867.

2. No Claim or Action of Damages shall lie at the Instance of or against any Person by reason of the Detention during any Period anterior to the First Day of *October* next ensuing of any Lunatic in any Asylum or House in *Scotland* for the Reception and Detention of Lunatics, on the Ground of the Sheriff's Order having fallen or expired from the aforesaid Certificate not having being granted and transmitted in Terms of the Provisions of the recited Act.

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP LVI.

An Act to authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the *Galway* Harbour Commissioners, and to make Arrangements for the Payment of the Amounts for which such Debt and another Debt are to be compounded; and for other Purposes. [15th *July* 1867.]

WHEREAS, with the Consent and Approbation of the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* (herein-after called "the Commissioners of Her Majesty's Treasury"), the Commissioners of Public Works in *Ireland* (herein-after called "the Commissioners of Public Works"), in and since the Year One thousand eight hundred and thirty-two advanced under the Authority of the Act (Public) of the First and Second *William* the Fourth, Chapter Thirty-three, certain Sums of Money, amounting in the whole to the Sum of Twenty-four thousand Pounds, to the *Galway* Harbour Commissioners and their Successors, for the Purpose of constructing a Floating Dock together with other Works for the Improvement of the Port and Harbour of *Galway*, and such Sums were advanced on the Security of certain Indentures of Mortgage

1 & 2 W. 4. c. 33.

of the Rates, Tolls, and Duties authorized to be levied from Time to Time in the Port of *Galway* under the Authority of the Acts therein recited, and also upon the further Security of certain Lands and Premises therein mentioned and conveyed:

And whereas there is a Sum of Twenty thousand six hundred and fifty-six Pounds Four Shillings remaining due, including Interest up to the First Day of *May* One thousand eight hundred and sixty-seven, to the Commissioners of Public Works, in respect of such Advances (after deducting the Payments annually made in respect of Principal and Interest), and the said Commissioners of Public Works are now, and have been for some Years, in receipt as Mortgagees in Possession of the Rates, Tolls, and Duties levied in the said Harbour, and of the Rents and Profits of said Premises, for the Purpose of securing the Repayment of the Principal and Interest due as aforesaid:

And whereas the Rates, Tolls, and Duties heretofore payable in respect of the said Floating Dock and Works have not only proved insufficient for the Repayment of the Principal Sum and Interest, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour of *Galway*:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said *Galway* Harbour Commissioners to make certain Repairs to the Piers and Quays of said Harbour, and in other respects to improve the same, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt for the Sum of ten thousand Pounds:

And whereas *Bernard Mullins* and *John M'Mahon* did in *Michaelmas* Term One thousand eight hundred and forty-seven recover a Judgment against the said *Galway* Harbour Commissioners for the Sum of Three thousand five hundred Pounds, with Costs, the entire of which said Judgment Debt, together with Interest thereon, and Costs, amounting in all to the Sum of Six thousand four hundred Pounds or thereabouts, is still due and owing by the said *Galway* Harbour Commissioners:

And whereas the Grand Jury of the County of the Town of *Galway* at the last Spring Assizes resolved unanimously to guarantee to Mr. *Michael Bernard Mullins*, the legal Representative of the said *Bernard Mullins* and *John M'Mahon*, the Payment of the said Judgment Debt in such Manner as the Committee named in the Resolution should agree on; and the said Committee were also authorized to consent to any Act of Parliament binding the said County of the Town to compromise the said Debt, and to act on their Behalf as herein-after provided:

And whereas the said *Michael Bernard Mullins* has agreed to accept the Sum of Five thousand Pounds for the said Judgment Debt, Interest,

Interest, and Costs, provided that Sum be paid to him out of the first Monies to be borrowed under this Act from the Public Works Loan Commissioners as herein-after provided:

And whereas the Harbour Commissioners propose, subject to the Sanction of the Commissioners of Her Majesty's Treasury, to borrow any Sum or Sums of Money not exceeding Twenty-two thousand Pounds (including the said Sum of Five thousand Pounds) from the Public Works Loan Commissioners, if the said Public Works Loan Commissioners shall be satisfied from Time to Time with the Security tendered to them by the *Galway* Harbour Commissioners, and to permit the Annuities which shall be granted for the same respectively by the Harbour Commissioners to have Priority of the Annuity in respect of the said Sum of Ten thousand Pounds, provided the County of the Town of *Galway* levy a Rate as additional Security in manner herein-after mentioned:

And whereas the Committee appointed by the Grand Jury as aforesaid to act on their Behalf have consented to the Arrangement by this Act provided in this respect:

And whereas it is expedient that said Arrangements should be authorized:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Galway* Harbour (Composition of Debt) Act, 1867."

Commencement.

2. This Act shall commence and take effect from and immediately after the passing of the same.

Interpretation of Terms.

3. In this Act—

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being:

The Term "the *Galway* Harbour Commissioners" means the *Galway* Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the *Galway* Harbour and Port Act, 1853:

The Term "Commissioners of Public Works" means the Commissioners of Public Works in *Ireland* for the Time being:

The Term "Harbour Rates" includes all Rates, Tolls, and Duties leviable from Time to Time in the Port and Harbour of *Galway*, and all Rents and other Property of the said Harbour Commissioners.

4. The

Mr. M. B. Mullins' Debt to be computed at the Sum of 5,000*l.*

4. The said Debt of Six thousand four hundred Pounds or thereabouts, so due and owing to the said *Michael Bernard Mullins*, shall be assumed to be and shall be taken at the Sum of Five thousand Pounds.

Power to Treasury to compound the said Debt of 20,656*l.* 4*s.*

5. It may be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any Two or more of such Commissioners, to compound the said Debt of Twenty thousand six hundred and fifty-six Pounds Four Shillings now remaining due to the Commissioners of Public Works as aforesaid by the *Galway* Harbour Commissioners as follows, *viz.*, that the said Debt shall be assumed to be and shall be taken at the Sum of Ten thousand Pounds.

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument to be executed by the Commissioners of Her Majesty's Treasury such additional Terms, Conditions, and Agreements as they may think proper to require and insert therein; and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect to all Intents and Purposes as if the same had been contained in this Act.

Mode of Payment of compounded Debt

7. The said Sum of Ten thousand Pounds shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge of Four hundred and ten Pounds, including Principal and Interest, the same to be paid by equal half-yearly Instalments of Two hundred and five Pounds each, for a Period of Fifty Years, on every First Day of *May* and First Day of *November* in each Year, the first Payment to be made on the First Day of *May* One thousand eight hundred and sixty-eight, the said Annuity to be chargeable and charged upon the Harbour Rates, and upon all Lands and Property of the *Galway* Harbour Commissioners, of what Nature and Kind soever, and to be further secured by Presentment on the County of the Town of *Galway* as herein-after provided.

Further Security provided for the Payment of Annuity in respect of the Sum of 10,000*l.*

8. And as a further Security for Payment of the said half-yearly Instalments of Two hundred and five Pounds, it is hereby enacted, that if any of the said Instalments be in arrear for the Space of Forty-one Days after any of the Days herein-before provided for Payment of the same, the Amount so in arrear shall from Time to Time, and as often as the same shall happen, be certified by the Secretary of the Commissioners of Public Works in *Ireland* to the Secretary of the Grand Jury of the County of the Town of *Galway*; and such Secretary of the said Grand Jury shall lay such Certificate before

before the Grand Jury of the said County of the Town of *Galway* at the next Assizes after he shall receive the same; and it shall be lawful for the said Grand Jury and they are hereby authorized and required to present the Sum mentioned in every such Certificate to be raised and levied off the said County of the Town of *Galway* immediately after such Assizes; and the Treasurer of the said County of the Town of *Galway* shall pay the Sum so presented by the Grand Jury to the Credit of the Commissioners of Public Works: Provided always, that such Treasurer shall issue a separate Warrant for the Levy of the Sum mentioned in such Certificate.

In case the Grand Jury fail to present, Treasurer may insert such Sum in the Warrant, which shall be levied as if it had been presented.

9. If the Grand Jury of the said County of the Town of *Galway* shall fail to present the Sum, or any Part thereof, contained in any such Certificate, the Treasurer of the said County of the Town of *Galway* shall and he is hereby authorized and required to insert such Sum or such omitted Part thereof in such separate Warrant for raising such Monies as if such Sum had been duly presented by such Grand Jury to be raised off the said County of the Town of *Galway*, and the same shall be raised and levied accordingly as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented by the said Grand Jury.

Such Sums to be assessed and levied like the Poor Rate, according to 1 & 2 Vict. c. 56., &c.

10. Any Sum of Money so to be raised and levied off the said County of the Town of *Galway* under the Provisions of this Act shall be charged upon, and applotted, raised, and levied upon and from, the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within the said County of the Town of *Galway* respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and any Act amending the same, and shall be payable by the respective Ratepayers who, under the said last preceding Rate or Rates, shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in the said County of the Town of *Galway*, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Ratepayers in respect of such Lands or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the High Constable or High Constables, Collector or Collectors of Grand Jury Cess for the said County of the Town of *Galway*, as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within the said County of the Town of *Galway* rated as aforesaid, as such net

annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the Warrant of the said Treasurer as aforesaid such High Constable or High Constables, Collector or Collectors, is or are hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same Receipts therefor; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, may be collected and levied, and with like Powers, Authorities, and Privileges, to any such Collector, as in the Case of the levying of any Grand Jury Cess.

No greater Sum than 250*l.* to be levied in any One Year.

11. Provided always, That no greater Sum than the said Sum of Two hundred and fifty Pounds shall in any One Year be required to be raised and levied from the said County of the Town of *Galway* under the Provisions herein-before contained.

Condition of Collector's Bond.

12. The Condition of the Bond of the Collector of Grand Jury Cess in the said County of the Town of *Galway* to be hereafter given or executed by way of Security for duly collecting and paying Public Money shall contain a Condition for his duly collecting and paying to the Treasurer of the said County of the Town of *Galway* for the Time being, on or before the First Day of the next Assizes, all such Money as he shall be authorized to levy under this Act, and shall be subject to all Provisions now applicable to any Bond to be given or executed by any Collector of Grand Jury Cess.

Payments to be allowed as Poor Rate.

13. In all Cases the Receipt for any such Sum of Money so to be levied as aforesaid shall be accepted by every Person entitled to receive Rent in respect of the same Property, and allowed by such Person to the Occupier or other Person paying such Rent, in the same Manner as if the same had been paid by such Occupier or other Person as Poor Rate.

After Deed executed, Commissioners of Public Works to pay over Balance.

14. From and after the Execution of the said Deed or Instrument the Commissioners of Public Works shall pay over to the Harbour Commissioners, after providing for the Expenses of the Management of the Port, any Balance remaining in their Hands arising from the Tolls, Rates, and Revenues of the Port received by them from and after the First Day of *May* One thousand eight hundred and sixty-seven to the Day of the granting of the said Annuity, to be applied by the Harbour Commissioners to the Purposes of the said Port.

Public Works Loan Commissioners, with

15. It shall be lawful for the Public Works Loan Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury,

at

at any Time after the Execution of the said Deed or Instrument, to advance to the *Galway* Harbour Commissioners, by way of Annuity or Annuities, or otherwise in accordance with the Provisions of "The Harbours and Passing Tolls, &c. Act, 1861," any Sum or Sums of Money not exceeding Twenty-two thousand Pounds, out of the Monies placed at their Disposal under the 29 & 30 *Vict.* Cap. 72. Sec. 2. to be applied by the said *Galway* Harbour Commissioners in the Manner and to the following Purposes; *viz.*,

Consent of Treasury, to advance Monies to pay off Mr. Mullins' Debt, and for Improvements and Construction of a Graving Dock in the Harbour of Galway.

First, the Sum of Five thousand Pounds to be paid to the said *Michael Bernard Mullins*, or his legal Representative, in full Discharge of the said Debt of Six thousand four hundred Pounds or thereabouts:

Secondly, the Sum of Five thousand Pounds to be applied to the Improvement of the Port; and

Thirdly, the Sum of Twelve thousand Pounds to be applied in the Construction of a Graving Dock in the said Port.

And the said Sum or Sums so from Time to Time, or the Annuity or Annuities, granted for the same by the *Galway* Harbour Commissioners to the Public Works Loan Commissioners, shall have Priority over the said Annuity for the said Sum of Ten thousand Pounds, provided the Commissioners of Her Majesty's Treasury sanction any such Loan.

Power to Harbour Commissioners to improve Port and construct a Graving Dock.

16. It shall be lawful for the *Galway* Harbour Commissioners to make such Improvements in the said Port and to construct such Dock as they may consider necessary, and to take Land by Agreement for those Purposes; provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to and approved of by the Board of Trade; and on the said Board granting a Certificate in Writing from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Public Works Loan Commissioners may advance to the *Galway* Harbour Commissioners the Sums stated in such Certificates respectively, not exceeding in the whole the Sum of Seventeen thousand Pounds.

When Graving Dock completed, Harbour Commissioners to levy Rates for its Use, as set forth in 23 & 24 Vict. c. ccii.

17. On the Completion of the said Graving Dock it shall be lawful for the Harbour Commissioners to levy Rates for the Use of the same, not exceeding the Graving Dock Rates authorized by "The *Galway* Harbour Act, 1860," and all the Powers of that Act relating to the Graving Dock therein referred to shall be applicable to the Graving Dock hereby authorized.

Proceedings for Recovery of Annuity as under 1 & 2 W. 4. c. 33.

18. If Default shall be made in Payment of any of the said half-yearly Instalments of the said Annuity or Rentcharge of Four hundred and ten Pounds as herein-before provided, it shall also

also be lawful for the Commissioners of Public Works to proceed for the Recovery thereof or any Part thereof by all or any of the Means provided for the Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second *William* the Fourth, Chapter Thirty-three, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, in like Manner in all respects as if the said Harbour Rates or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

Court of Chancery may appoint a Receiver of Rates.

19. And it shall also be lawful for the Court of Chancery in *Ireland*, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Harbour Rates, and of the Rents and Profits of all Lands and Premises the Property of the said Harbour Commissioners; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said *Galway* Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Harbour Rates; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

20. It shall be lawful for the said Commissioners of Public Works, out of the said Harbour Rates, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them or any Officer or Servants employed by them in the Execution of this Act.

Expenses of Act.

21. The reasonable Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the *Galway* Harbour Commissioners out of the first Monies coming into their Hands under this Act.

Public Act.

22. This Act shall be a Public Act, and shall be judicially taken notice of.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LVII.

An Act to authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt due by the Commissioners of the Bridge across the River *Blackwater* near the Town of *Youghal* in the County of *Cork*, and for the Transfer of the said Bridge to the Grand Juries of the Counties of *Cork* and *Waterford;* and for other Purposes relating thereto. [15th *July* 1867.]

WHEREAS by an Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Fifty-three, intituled *An Act for the Erection of a Bridge across the River* Blackwater, *at or near* Foxhole *and the Town of* Youghal *in the County of* Cork, *to the opposite Side in the County of* Waterford, *and for making the necessary Approaches thereto*, it was enacted that certain Persons therein named, and their Successors to be elected in manner therein mentioned, should be, and they were thereby appointed Commissioners for the Execution of said Act for making, constructing, and maintaining a Bridge over said River, at or near the Place aforesaid, with the necessary Avenues, Approaches, and other Works thereby authorized to be executed, and were thereby authorized and empowered by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Bridge of Stone, Timber, Iron, or other fit Materials across the River *Blackwater*, at or near the Place called *Foxhole* in the Parish of *Saint Mary's Youghal* in the County of *Cork*, to the opposite Side in the Parish of 9 G. 4. c. liii.

Blackwater Bridge.

of *Clashmore* in the County of *Waterford*, with a Drawbridge for the Passage of Shipping, and also a Quay or Quays, Abutments, and Moorings for the Convenience and Accommodation of Vessels passing the said Bridge; also to make and maintain One Road of Approach from the Mail Coach Road in *Muckridge* Townland to the said Bridge, the Townland of *Youghal*, *Foxhole*, or *Muckridge* in the Parish of *Saint Mary's Youghal* in the County of *Cork* aforesaid, One Road from the said Bridge, along the Slob or Land of the River *Blackwater*, to the Quay called and known by the Name of *Green's* Quay, to *Catherine Street* in the Parish of *Saint Mary's Youghal* aforesaid, and One Road from the Eastern End of the said Bridge, to or near *Pilltown* in the Parish of *Kinsalebeg*, and to *Summerhill* in the Parish of *Grange* and County of *Waterford* aforesaid, to communicate with the *Clashmire* and the new *Dungarvan* Roads; and, that the Navigation of the said River *Blackwater* might receive no Prejudice, it was thereby further enacted, that the Bridge so to be erected or built as aforesaid should be so constructed and built as that there should be a Passage for Ships and Vessels to pass up and down the said River by or through the said Bridge, and for that Purpose there should be in the said Bridge, or adjoining thereto, One or more lifting or Portcullis Bridge or Bridges of at least Thirty Feet in the Clear in Length, so as to admit of Vessels passing up and down the said River; and it was thereby further enacted, that the Right and Property of and in the said Bridge, and of and in the Toll House, Gate, and Bars, and all Posts, Rails, and Fences to be erected, set up, and provided in, upon, or near the said Bridge, or any of them, and of the Materials for the same, should be and were thereby vested in the said Commissioners and their Successors; and it was thereby further enacted, that the said Commissioners should, as soon as conveniently might be after a Passage should be made over the said intended Bridge, cause to be erected and set up a Turnpike Gate or Gates, or Toll Gate or Gates, at or upon the said Bridge, or at or upon some or One of the said Roads or Avenues leading thereto, belonging to the said Commissioners, or any Part or Parts thereof, and from Time to Time should and might remove the same Turnpike or Toll Gate or Turnpikes or Toll Gates, and erect or set up another Turnpike or Toll Gate, or other Turnpikes or Toll Gates, in lieu thereof upon any Part of the said Bridge or Roads, and erect and maintain such Toll Houses and other Conveniences near or adjoining to the said Turnpike or Toll Gate, as the said Commissioners should think proper, and that the respective Tolls therein specified shall be demanded and taken at the Turnpike or Toll Gate, Turnpikes or Toll Gates, to be erected as aforesaid, in the Name of or as a Pontage Toll or Duty; and that it should be lawful to and for the said Commissioners to reduce or lessen any of the Tolls granted and made payable by said Act, and also from Time to Time to advance and raise such Tolls, Rates, and Duties, provided that such Tolls should not exceed the Tolls thereby authorized; and said Commissioners were also by said Act empowered to borrow Money at Interest upon the Credit of said Tolls, or to borrow Money on Debentures of One hundred Pounds each repayable with Interest at the Rate of Ten Pounds *per Centum per Annum*: And whereas

by

by Indenture of Mortgage, bearing Date the Twenty-eighth Day of *July* One thousand eight hundred and thirty, and made between *James Ellis Green*, *Samuel Allen*, *Benjamin Jackson*, and *Roger Dartnell*, being the major Part of the Commissioners present that Day, who were named and appointed Commissioners in and by the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, present at a Meeting of the said Commissioners, held in pursuance of the said Act at *Youghal* on the said Twenty-eighth Day of *July* One thousand eight hundred and thirty, of the One Part, and *John Galloway*, Secretary to the Commissioners appointed under and by virtue of an Act of Parliament made and passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund to a limited Amount for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, and also by virtue of certain other Acts therein referred to, it was witnessed that in consideration of the Proposals and Agreements therein-before mentioned, and also in consideration of the Covenants and Agreements therein-after contained, and of the Sum of Ten thousand Pounds Sterling agreed to be advanced to the said Bridge Commissioners by the said Loan Commissioners, and in further consideration of the Sum of Ten Shillings, they the said Bridge Commissioners granted, bargained, sold, assigned, transferred, and made over unto the said *John Galloway* (Secretary), in trust for the said Loan Commissioners, all that and those the said Bridge, and all and singular the Rates, Rents, Tolls, Duties, and Profits so authorized to be raised, levied, collected, and paid by virtue of the said recited Act of the Ninth *George* the Fourth, and all the Right, Title, and Interest of them, said Bridge Commissioners, to the same; to hold the said Bridge, and the Rates, Rents, Tolls, Duties, and Profits, and all the Sums of Money payable pursuant to the said Act of the Ninth *George* the Fourth therein recited, unto the said *John Galloway*, Secretary as aforesaid, his Executors, Administrators, and Assigns, for the Term of Nine hundred and ninety-nine Years, upon trust for the said Loan Commissioners and their Successors, subject to the Covenant or Condition of Redemption upon Payment of the said Sum of Ten thousand Pounds and Interest as therein mentioned: And whereas the said Sum of Ten thousand Pounds was advanced and paid to the said Bridge Commissioners, and applied in the Erection of the said Bridge and Approaches authorized by the said recited Act: And whereas the said recited Mortgage and all Monies secured thereby were afterwards transferred to and became legally vested in the Commissioners of Public Works in *Ireland*: And whereas there is now due and owing on Foot of the said recited Mortgage the Principal Sum of Ten thousand Pounds, together with Interest thereon up to the Thirty-first *December* last the Sum of Ten thousand six hundred and eighty-five Pounds Nine Shillings and Twopence, making together the Sum of Twenty thousand six hundred and eighty-five Pounds Nine Shillings and Twopence, which is the First Charge on the said Bridge and the Tolls thereof:

57 G. 3. c. 34.

Recited Mortgage, &c. became vested in Commissioners of Public Works, Ireland.

thereof: And whereas the said Commissioners, in pursuance of the Powers given by the said recited Act, also raised a further Sum of Eight thousand three hundred Pounds by Debentures, which said last-mentioned Sum, together with an Arrear of Interest, is still due and owing on the Security of the Tolls of the said Bridge: And whereas by reason of the Insufficiency of the Tolls of the said Bridge, not only for Payment of the Interest of the said Debts, but also to preserve the said Bridge and its Approaches in proper Repair, there is Danger of the said Bridge becoming impassable, whereby the Security for the said Debts and Interest would be wholly lost: And whereas it would be a great Advantage to the Public if the said Bridge and the Approaches thereto were repaired, and the said Bridge were opened free from Toll, at the joint Expense of the said Counties of *Cork* and *Waterford*, between which the same is situate: And whereas to facilitate the Transfer of the Property of the Commissioners under the said Act, or of any other Person in the said Bridge, and the Tolls thereof to the Grand Juries of the said Counties of *Cork* and *Waterford*, or to some Person on their Behalf, for the Purposes aforesaid, it is expedient to enable the Commissioners of Her Majesty's Treasury to compound the said Mortgage Debt and the Interest due on Foot thereof as aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for compounding Debt due by Commissioners of Blackwater Bridge to Treasury for 2,500*l.*

1. Whenever for the Purpose of repairing the said Bridge across the River *Blackwater* at or near *Foxhole* and the Town of *Youghal*, and opening the same free from Toll, the Grand Juries of the said Counties of *Cork* and *Waterford* shall, under the Provisions of any Act or Acts them in that Behalf enabling, proceed to purchase or take the Property of the Commissioners under the said Act, or of any other Person in the said Bridge, and the Tolls thereof, and such Property shall have been purchased or taken subject to the Rights of the said Commissioners of Public Works in respect of the said Mortgage Debt and the Interest due on Foot thereof secured by the said Indenture of the Twenty-eighth Day of *July* One thousand eight hundred and thirty, it shall be lawful for the Commissioners of Her Majesty's Treasury to compound the said Mortgage Debt and the Interest due on Foot thereof at and for the Sum of Two thousand five hundred Pounds, and upon Payment of the said Sum of Two thousand five hundred Pounds to the said Commissioners of Public Works the Residue of the Term of Nine hundred and ninety-nine Years created by the said Indenture shall be vested in the said Commissioners of Public Works, upon trust to transfer the said Bridge to the said Grand Juries of the Counties of *Cork* and *Waterford* for the Purposes aforesaid, and the Passage of the said Bridge shall be open and free to all Persons, Carriages, Cattle, and Animals whatsoever.

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VICTORIÆ REGINÆ.

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Edinburgh Provisional Order Confirmation.

Short Title.

2. This Act may be cited for all Purposes as the "*Edinburgh* Provisional Order Confirmation Act, 1867;" and in citing any Section of the said Provisional Order it shall be sufficient to use the Words and Figures "*Edinburgh* Provisional Order," Section (specifying the Number of such Section).

SCHE-

SCHEDULE referred to in the foregoing Act.

EDINBURGH.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT, 1862.
(25 & 26 Vict. Cap. 101.)

WHEREAS the Police of the Royal Burgh and City of Edinburgh is regulated by various Local Acts of Parliament, and specially by the Acts following; viz.,—(1) the Act 11 & 12 Victoria, c. 113, the Short Title of which is, "The "Edinburgh Police Act, 1848;" (2) the Act 17 & 18 Victoria, c. 118, the Short Title of which is, "The Edinburgh Police Amendment Act, 1854;" (3) the Act 19 & 20 Victoria, c. 32, the Short Title of which is, "The Edinburgh "Municipality Extension Act, 1856;" and (4) various Clauses of "The General "Police and Improvement (Scotland) Act, 1862," adopted by the Lord Provost, Magistrates, and Council of the said Royal Burgh and City in pursuance of the last-recited Act:

And whereas a Petition under the Provisions of the said General Police and Improvement (Scotland) Act has been addressed to me, as One of Her Majesty's Principal Secretaries of State, by the Lord Provost, Magistrates, and Council of the said Burgh and City, under their Corporate Seal, praying that after the Inquiry directed by the said Act a Provisional Order may be issued, altering various Provisions of the said last-mentioned Act, so as the better to meet the Requirements of the said Burgh and City, and making the same operative in the said Burgh and City; repealing certain Parts of the said recited Local Acts; and making Provision for regulating the future Application and Execution of the said Order and recited Acts, and of other Acts in force within the said Burgh and City, and for otherwise improving the sanitary Condition thereof:

And whereas it is expedient that various Provisions of the said General Police and Improvement (Scotland) Act should be altered so as the better to meet the Requirements of the said Burgh and City, and should be made operative therein:

And whereas it is farther expedient that certain Parts of the said recited Local Acts ought to be repealed, and that such Parts thereof should be specified and set forth, and that Provision should be made for regulating the future Application and Execution of the Provisions hereof, and of the said recited Acts, and of other Acts in force within the said Burgh and City, and for otherwise improving the sanitary Condition thereof:

And whereas an Inquiry has been directed and held in respect of the Matters mentioned in the said Petition:

Now, therefore, in pursuance of the Powers vested in me by the said General Police and Improvement (Scotland) Act, 1862, I, as One of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my Hand, direct that from and after any Act of Parliament confirming the same:—

ASSESSMENTS.

I.—*Assessments for Police Purposes.*

1. The Magistrates and Council shall annually, at a Meeting to be held on the Second Monday of August, or at a Meeting to be held for the special Purpose as soon thereafter as may be, estimate and fix the Sums of Money necessary to

Expenses to be estimated.

to be levied for the Year then current, under the several Heads of Watching, Lighting, Cleansing, Sanitary and other Purposes, including Officers Salaries, and other Expenses required for the Purposes of "The Edinburgh Police "Act, 1848," "The Edinburgh Police Amendment Act, 1854," "The "Edinburgh Municipality Extension Act, 1856," the Act 23 & 24 Vic. Cap. 50, intituled "An Act to abolish the Annuity Tax in Edinburgh and "Montrose, and to make Provision in regard to the Stipends of the Ministers of "that City and Burgh, and also to make Provision for the Patronage of the "Church of North Leith [23d July 1860]," the Act 24 & 25 Vic. Cap. 27, intituled "An Act to declare the Limits within which increased Assessments "are authorized to be raised in the City of Edinburgh under the Provisions "of the Act 23 & 24 Vic. Cap. 50, [28th June 1861,]" and the Act of Parliament confirming this Provisional Order.

Magistrates and Council to make Police Assessment.

2. On or before the last Monday in September in each Year the Magistrates and Council (being summoned by written or printed Summonses, which shall state that the Meeting is for the Purpose of laying on an Assessment) shall assess all Occupiers of Lands or Premises within the Burgh rented or valued at Five Pounds and upwards, according to the Valuation Roll made up and completed in Terms of the Acts in force for the Valuation of Lands and Heritages in Scotland, subject to the Exceptions herein-after provided, in the Sums necessary to be levied for the Purposes of the several Acts before referred to, and shall fix a Day on which the same shall be payable; and the Rate of Assessment and Day so fixed by the Magistrates and Council shall be published by Advertisement in any Newspaper circulating in the Burgh: Provided always, that such Assessment shall be imposed as from the Fifteenth Day of May in any One Year to the Fifteenth Day of May in the following Year, and shall be called the Police Assessment.

Differential Rates of Assessment on Rents under and above 10*l*.

3. Such Assessment shall not, exclusive of that Portion thereof authorized to be levied by the Act 23 & 24 Vic. Cap. 50, and the Act 24 & 25 Vic. Cap. 27, exceed in any Year a Rate equal to Tenpence in the Pound of the gross yearly Value of such Lands and Premises in so far as the same are rented or valued at Five Pounds and under Ten Pounds, and One Shilling and Threepence in the Pound of the gross yearly Value of such Lands or Premises in so far as the same are rented or valued at Ten Pounds and upwards: Provided also, that when Two or more Families or Persons live together as One Family, and when One Person occupies more than One Subject, the whole Police Assessment shall be made on the aggregate actual yearly Rent or Value of the Lands and Premises so occupied; and if any Person shall be in arrear of the Police Assessment, or any Portion thereof, on the First Day of March in any Year, One Penny upon each Pound of the Rental of the Lands or Premises in respect of which such Person is assessed, in addition to the Amount of the respective Assessments then due, shall be leviable from such Person by way of Penalty for Neglect or Failure in Payment, and the Magistrates and Council and their Collector are hereby authorized and required to levy and collect the same.

Provision as to Acts 23 & 24 Vict. c. 50. and 24 & 25 Vict. c. 27.

4. Wherever by the Act 23 & 24 Vic. Cap. 50, and the Act 24 & 25 Vic. Cap. 27, any Powers are conferred or Directions are given, having reference to the Provisions of "The Edinburgh Police Act, 1848," and "The Edinburgh "Municipality Extension Act, 1856," such Powers and Directions shall be construed as having reference to the Provisions of this Order, and the Act confirming the said Order, in the same Way and Manner as if the said Order and Act had been also specified in the said recited Acts, 23 & 24 Victoria, Cap. 50, and

and 24 & 25 Victoria, Cap. 27, along with the said "Edinburgh Police Act, 1848," and "The Edinburgh Municipality Extension Act, 1856."

Provision as to Edinburgh Water Company.

5. Whereas by their existing Acts of Parliament the Edinburgh Water Company are empowered to fix, ascertain, and levy annual Water Rates or Rents, payable in advance, at Whitsunday yearly, from,—first, all and every Person or Persons whatsoever having Water conveyed to their private Houses from the Reservoirs and Pipes belonging to the Company, provided that such Rates or Rents shall not exceed Tenpence per Pound on the real Rent of the said Houses and other Premises as they may be assessed for the Police Tax for the City of Edinburgh for the Year for and in respect of which the Water is to be supplied, or, if without the Bounds of Police, upon Four Fifths of the actual Rent or annual Value of the said Premises; and, second, by Shopkeepers and Warehouse Holders requiring an ordinary Supply of Water, having Water conveyed into their Shops or Warehouses from the Reservoirs or Pipes belonging to the Company, provided that such Rates or Rents shall not exceed One Pound Five Shillings per Centum on the real Rent of the said Shops or Warehouses, as they may be assessed for the Police Tax, which is in no Case to be calculated on a higher Rent than One hundred and twenty Pounds, and which Rates or Rents shall not be calculated on a Rent exceeding One hundred and twenty Pounds: And whereas the Police Assessment is at present leviable under the Provisions of "The Edinburgh Police Act, 1848," on Four Fifths of the actual yearly Rent or Value of the Subjects liable therefor: It is hereby provided, that nothing herein contained shall be held or construed in any Way to authorize the said Company, in virtue of any of their said Acts, to levy the said Water Rates or Rents on a larger Proportion than Four Fifths of the gross yearly Value of the Houses and other Premises, and of the Shops or Warehouses in respect of which such Water Rates or Rents may be levied within the City of Edinburgh: And it is further provided that, subject to the above Provision, nothing herein contained shall be held or construed to diminish, enlarge, or in any Way affect the Powers at present possessed by the Edinburgh Water Company in relation to the fixing, ascertaining, and levying the Water Rates or Rents exigible by them under the Provisions of any of their Acts.

Payment of Damages occasioned by Mobs.

6. Out of the Police Assessment it shall be lawful to the Magistrates and Council to defray, to such Extent as they think proper, such Claims for Damages sustained in consequence of any Riot or Tumult within the Burgh as may be established to their Satisfaction, or, if the Magistrates and Council think proper, they may at any Time impose and levy a special Assessment, to be called the "Mob Assessment," along with or in the same Way and Manner as the Police Assessment, on all Occupiers of Lands or Premises within the Burgh, according to the said Valuation Roll, for the Sums estimated by them to be necessary for the Purpose of paying such Damages; and such special Assessment being so imposed and levied, the Magistrates and Council shall out of the Proceeds thereof discharge such Claims, the same being established to their Satisfaction.

Certain Premises not to be assessed.

7. The Police Assessment and "Mob Assessment" and the "General Improvement Rate" herein-after authorized to be levied shall not be imposed in respect of any Building which is solely occupied for the Purposes of public Charity, nor any Place occupied exclusively for Public Worship, nor any Building occupied by Scientific or Literary Societies, which shall have been or may be exempted from Rates in Terms of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled "An Act to "exempt from County, Borough, Parochial, and other Local Rates Land and "Buildings occupied by Scientific or Literary Societies," nor the Royal Palace

6 & 7 Vict. c. 36.

of Holyrood, nor Houses or Buildings in the Castle of Edinburgh, nor Queensberry House, Canongate, when occupied as an Hospital or as a Barrack for Her Majesty's Troops, nor the Courts of Justice, General Register House, City Chambers, County Buildings, Prison of Edinburgh, nor the Public Markets, nor the University of Edinburgh and the Buildings connected therewith, except those Parts which are used as Dwelling Houses, nor the Free Church College and the Buildings connected therewith, except those Parts which are used as Dwelling Houses, nor the Buildings in Queen Street belonging to the United Presbyterian Church, except those Parts which are used as Dwelling Houses, nor the Museums of the Royal College of Physicians and Surgeons, as long as they respectively shall remain open gratuitously to Persons pursuing the Study or Practice of Medicine, nor the Veterinary College, nor the High School of Edinburgh, nor the Edinburgh Academy, nor any Sessional, Parochial, or Charity School, nor Dr. Bell's Schools, nor the Dwelling House or Schoolroom occupied by any Teacher, the actual annual Rent of which, if forming One Subject, or the aggregate actual annual Rent of which, if occupied separately, does not amount to Twenty Pounds.

Magistrates and Council may grant Relief from certain Assessments in case of Poverty.

8. The Magistrates and Council may, on the Ground of the Poverty or Inability to pay of any Person liable in the Police Assessment and "Mob Assessment" or of the "General Improvement Rate," remit, in whole or in part, Payment of the said Assessments or Rate by such Person in such Manner as the Magistrates and Council shall in their Discretion think just and reasonable.

Occupiers to pay Police and Mob Assessments.

9. The Police Assessment and Mob Assessment herein authorized to be imposed may be levied from the Occupiers of Lands or Premises, but Deduction may be allowed by the Magistrates and Council of the said Assessments for any Period during which any Lands or Premises shall not be let or occupied for Three Months consecutively in any One Year, and Owners who shall let for Rent or Hire Lands or Premises for less than a Year shall themselves, as well as the Occupiers, be responsible for the said Assessments, and the same may be recovered from such Owners or from such Occupiers as the Magistrates and Council shall judge expedient; provided always, that the Occupier of any Lands or Premises let for a Period less than a Year, by whom the said Assessments shall be paid, shall be entitled to deduct from the Rent payable to the Person by whom the said Lands or Premises shall be so let the Amount of the said Assessments in excess of the Proportion thereof applicable to the Period of his Occupancy.

Arable Land, &c. how to be valued.

10. The annual Value of the following Lands or Premises shall, for the Assessments and Rates herein authorized, be held to be the nearest aggregate Sum of Pounds Sterling to One Fourth of the annual Value thereof entered in the said Valuation Roll; viz.

1. All Lands and Premises used exclusively as a Canal or Basin of a Canal, or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, excepting the Stations, Depôts, and Buildings, which shall be assessable to the same Extent as other Lands and Premises within the Burgh:
2. All the underground Gas and Water Pipes or underground Works of any Gas or Water Company:
3. All Woodland, Arable, Meadow, or Pasture Ground, or other Ground used for Agricultural Purposes:

And in the event of any Dispute arising as to the Lands and Premises falling under the above Exceptions, it shall be lawful to the Owner or Occupier of such Lands

Lands and Premises to present a Petition to the Sheriff, praying to have the same declared for the Time being liable to Assessment upon the said Proportion of their Value only; and the Sheriff shall thereupon order the Petition to be served on the Magistrates and Council upon a short Induciæ, and after hearing Parties, and taking such Evidence as he shall think necessary, shall pronounce such Judgment as to him shall seem just and right.

Assessment Roll to be made up.

11. The Magistrates and Council shall annually cause to be made up a Roll or Book of Assessment from the Valuation Roll aforesaid, showing the yearly Rent or Value of the Lands or Premises in the Burgh liable to be assessed for the Assessments and Rates authorized to be levied under the Provisions hereof, and of the several Acts of Parliament following; viz.,—the Act 17th & 18th Victoria, Cap. 80, intituled "An Act to provide for the better Registration of "Births, Deaths, and Marriages in Scotland [7th August 1854];" the Act 17th & 18th Victoria, Cap. 91, intituled "An Act for the Valuation of Lands "and Heritages in Scotland [10th August 1854];" the Act 17th & 18th Victoria, Cap. 106, intituled "The Militia (Scotland) Act, 1854;" the Act 19th & 20th Victoria, Cap. 58, intituled "An Act to amend the Law for the "Registration of Persons entitled to vote in the Election of Members to serve in "Parliament for Burghs in Scotland [21st July 1856];" the Act 19th & 20th Victoria, Cap. 103, intituled "The Nuisance Removal (Scotland) Act, 1856;" the Act 23rd & 24th Victoria, Cap. 79, intituled "The Sheriff Court Houses "Act, 1860;" the Act 23rd & 24th Victoria, Cap. 105, intituled "The Prisons "(Scotland) Administration Act, 1860;" the Act 29th Victoria, Cap. 2, intituled "The Cattle Diseases Prevention Act, 1866," or any Amendments of the said Acts, or for any other Assessments or Rates leviable by the Magistrates and Council, and which they may direct, or which may be directed by any Act of Parliament, to be levied along with the Police Assessment, or with the Assessment for Prison Purposes, and according to which Roll or Book such Assessments or Rates, or any of them, are intended to be levied; and in such Roll or Book of Assessment there shall in no Case be entered any fractional Part of a Pound of the assessable yearly Rent or Value aforesaid; and when such fractional Part shall not amount to Ten Shillings the Sum shall not be entered at all in such yearly Rent or Value; and when such fractional Part shall amount to or exceed Ten Shillings the Sum shall be entered as One Pound of such yearly Rent or Value, in addition to the actual Number of Pounds of such Rent or Value, and shall be assessed accordingly; and such Roll or Book of Assessment shall be open to Inspection by all Ratepayers, in the Hands of the Collector or other Officers appointed by the Magistrates and Council for that Purpose; and the Magistrates and Council shall have Power to rectify any Error which may be found in such Roll or Book.

Recovery of Assessments and Rates.

12. If any Person assessed under the Provisions hereof, or of any of the Acts before recited or referred to, shall refuse or neglect to pay any Assessment or Rate authorized to be levied hereby, or by any of the said Acts, or any other Assessment or Rate leviable by the Magistrates and Council, and which they may direct, or which may be directed by any Act of Parliament, to be levied along with the Police Assessment, or with the Assessment for Prison Purposes, or any Portion thereof, on or before the Expiry of Three Months after such Assessments or Rates are respectively declared payable, the Collector may make an Attestation, written or printed, or partly written and partly printed, setting forth that the said Person has failed to pay such Assessments or Rates, or any Portion thereof, notwithstanding the same has been demanded from him by the said Collector by a Notice delivered to or left for him on the Premises

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in respect of which such Assessments or Rates are made, or at his Dwelling House or Place of Business; and such Attestation being made it shall be lawful for the Collector to make Application to the Sheriff, who, upon such Application, and Production therewith of such Attestation, shall grant summary Warrant for Recovery of the said Assessments or Rates, or the Portion thereof remaining unpaid, and also for Recovery of One Penny upon each Pound of the Rental of the Lands or Premises in respect of which such Person is assessed in addition, in Name of Penalty, if such Penalty shall have been incurred by Nonpayment of the Police Assessment, or any Portion thereof, previous to the First Day of March, as herein-before provided, which Attestation, Application, and Warrant shall be in the Form, as near as may be, contained in Schedule (A.) hereunto annexed: Provided always, that nothing herein contained shall prejudice the Right of the Collector at any Time after the said Assessments or Rates shall be payable, and that either before or after such Warrant shall have been obtained, to prosecute, as he is hereby empowered to prosecute for, and recover before the Sheriff's Small Debt Court, or by any other legal Form of Proceeding, all or any Part of such Assessments or Rates in arrear, with the Addition, if such Prosecution or Proceeding for the Police Assessment, or any Portion thereof, shall not have been instituted previous to the First of March, of One Penny upon each Pound of the Rental of the Lands or Premises in respect of which the Person so in arrear is assessed in Name of Penalty: As also provided, that the levying and recovering, under and in virtue of the Provisions hereof, of any Assessments or Rates along with the Police Assessment, or with the Assessment for Prison Purposes, shall not prejudice any Right of Preference attaching to such Assessments or Rates in virtue of any Act or Acts of Parliament applicable thereto, but that such Right of Preference shall remain and receive Effect as if the said Assessments or Rates had been levied and recovered in Terms of the Act or Acts of Parliament applicable thereto respectively: And the Collector shall be bound to preserve the Warrants of all Seizures or Sales made under and in virtue hereof, and shall enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessments or Rates due, the Expense of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to the Sheriff of anything done unjustly or oppressively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer, and the Decision of such Sheriff shall be final.

Misnomers, &c. not to affect Proceedings for Recovery of Assessments.

13. No Misnomer, Mistake, or Informality committed in any Proceedings for Recovery of such Assessments or Rates, or any other Assessment, Rate, Charge, or Expenses under the Provisions hereof, shall prejudice the Recovery thereof, nor shall such Proceedings fall, lapse, cease, or abate by the Death, Resignation, or Removal of the Collector instituting the same, or by any Change in the Persons holding Office as Magistrates and Council, but it shall be lawful for the Collector for the Time to prosecute and follow forth Procedure commenced and carried on in the Name of any previous Collector in all respects as if such Procedure had been taken by himself: Provided always, that it shall not be competent for any Person to sue, nor for any Court of Law to entertain any Action or Proceeding, against the Magistrates and Council, or the Collector or Officers or other Persons employed in executing any Warrant in reference to any Assessment, Rate, Charge, or Expense under the Provisions hereof, or

of any of the Acts before recited or referred to, or to any Assessments or Rates leviable by the Magistrates and Council, and which they may direct, or which may be directed by any Act of Parliament, to be levied along with the Police Assessment, or with the Assessment for Prison Purposes, by reason of any Misnomer, Mistake, or Informality, if the Goods or other Effects seized or sold under such Warrant were bonâ fide the Property or in the lawful Possession of the Person actually liable in Payment thereof.

Assessments to be recoverable beyond Burgh.

14. In case any Person liable in Payment of the Assessments or Rates authorized to be levied under and in virtue of the Provisions hereof, or of any of the Acts before recited or referred to, or any other Assessments or Rates leviable by the Magistrates and Council, and which they may direct, or which may be directed by any Act of Parliament, to be levied along with the Police Assessment or with the Assessment for Prison Purposes, shall remove to any Place beyond the Burgh, it shall nevertheless be lawful for the Magistrates and Council, and their Collectors or other Officers, to put the Decrees and Warrants which may be granted for the Recovery of such Assessments or Rates in manner before mentioned into execution within or beyond the Burgh, in the same Manner as if such Person had continued to reside within the Burgh, such Decrees or Warrants being first endorsed by a Magistrate or Sheriff or Justice of the Peace for the Burgh or County within which they are to be put into execution.

II.—*Assessments for Sewers, and General and Private Improvements.*

(1.) *Sewers.*

Where new Sewers are made Magistrates and Council may impose a Special Sewer Rate.

15. Whenever the Magistrates and Council have formed any Sewer within the Burgh under the Provisions of "The Edinburgh Police Act, 1848," "The "Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality "Extension Act, 1856," or have sanctioned the Formation otherwise of any Sewer for the Benefit of any particular District in the Burgh, or shall resolve to make or ventilate any new Sewer under the Provisions hereof, they may charge the Owners of all the Lands or Premises liable to contribute to the Rates for making the same, or who would have been liable to contribute to the Rates for making the same had such Sewer been formed under the Provisions hereof, with Special Sewer Rates, over and above any other Assessment or Rates to which such Persons may be liable under the Provisions hereof, and such Rate shall, for the Purposes of this Act, be called the "Special Sewer Rate."

Magistrates and Council may impose a General Sewer Rate distinct from other Rates.

16. The Magistrates and Council shall, if necessary, impose a Sewer Rate, to be called for the Purposes hereof the "General Sewer Rate," distinct from any other Rate which they are herein authorized to make, to be applied in maintaining, ventilating, and clearing the Sewers, and all other Expenses connected with such Sewers not herein otherwise provided for, or which may not be fully defrayed by the Special Sewer Rate, and for securing and paying off any Monies which may be borrowed on the Security of the Special Sewer Rate under the Provisions hereof, and the Interest of such Monies which the Special Sewer Rates shall be insufficient to defray.

Magistrates and Council may assess.

17. The Magistrates and Council may from Time to Time make Assessments in respect of the said Special Sewer Rate and General Sewer Rate hereby authorized to be levied on the Owners of all Lands or Premises within the Burgh, or within separate and distinct Districts, and that in reference to the Valuation of such Lands or Premises as fixed by the Valuation Roll; and in every Case in which the Magistrates and Council shall see fit to make the said Assessments, or either

either of them, on separate and distinct Districts, they shall cause every such District to be described and defined as herein-after provided.

Separate Accounts to be kept in relation to Rates to be levied on separate Districts.

18. The Magistrates and Council, in making the said Assessments for separate and distinct Districts, shall cause separate and distinct Accounts to be kept of all Monies collected and received under any Rate in each distinct District, and of all Payments and Disbursements in respect thereof, and they shall apply the Monies to be collected and received from each distinct District under any such Rate as aforesaid for the several Purposes to which the same may be lawfully applied under the Authority of this Act, but so nevertheless that each District shall, as near as may be, bear its own Expenses; and in case any such Expenses shall apply to or be incurred in respect of Two or more Districts, the same shall be apportioned and divided between such Districts in such Manner as the Magistrates and Council shall consider fair and equitable.

Where Premises were sufficiently drained before making new Sewer, Owner to have a Reduction in his Rates.

19. Where, in the Judgment of the Magistrates and Council, any Premises were sufficiently drained before the making of such new Sewer, the Owners thereof shall be entitled to have such Deduction made from the Special Sewer Rates to which they would otherwise be liable in respect of the making of such new Sewer, having regard to the Cost of making such new Sewer, and to the Value and Efficiency of such old Sewer; and whenever any old Sewer is enlarged, or open Sewer closed, the Expense of such Enlargement, or of closing such open Sewer, shall be defrayed in like Manner as if it had been incurred in making a new Sewer.

(2.) *General Improvements.*

General Improvement Rate.

20. To enable the Magistrates and Council to make Provision for effecting Improvements in the Burgh, it shall be lawful for them to charge, in equal Proportions, all Owners and Occupiers of Lands or Premises within the Burgh, with reference to the said Valuation Roll, with a Special Assessment equal to but not exceeding One Penny in the Pound of the gross yearly Value of such Lands or Premises, over and above any other Assessment or Rate to which such Persons may be liable under the Provisions hereof, and which Special Assessment shall, for the Purposes hereof, be called the "General Improvement Rate," and shall be leviable either from the Owner or Occupier of such Lands or Premises in equal Proportions, or in whole from the Occupiers thereof, but in the latter Case the Occupier shall be entitled on Payment thereof to deduct from his Rent the Proportion payable by the Owner: Provided always, that when the aggregate actual yearly Rent or Value of the Lands and Premises in respect of which any Occupier is entered in the said Valuation Roll is under Five Pounds, the Magistrates and Council may remit the whole or any Part of the "General Improve- "ment Rate," so far as chargeable against such Occupier; and such Assessment shall be imposed and levied in the same Manner as, and along with, the Assessment for Prison Purposes, and shall be recoverable both from Owners and Occupiers in such and the like Manner as the Police Assessment is authorized to be recovered from the Occupiers.

(3.) *Private Improvements.*

Assessment for private Improvements.

21. Where by the Provisions hereof, or of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," "The Edinburgh Municipality "Extension Act, 1856," or any other Local or General Act in force within the Burgh from Time to Time, the Owner or Occupier, as the Case may be, of any Premises is directed or fails to do any Work, Matter, or Thing in relation to the same,

same, and the Work, through the Failure or Delay of the Owner or Occupier to execute it, shall be done by the Magistrates and Council, or, where Expenses are incurred by the Magistrates and Council for or in respect of any Premises in order to carry out the Provisions hereof or any of the said Acts, the Magistrates and Council shall charge the Owner or Occupier of the Premises with the said Expenses, or Special Rates therefor, over and above any other Assessments or Rates to which such Owner or Occupier may be liable under the Provisions hereof, or of any of the said Acts, and such Expenses or Special Rates shall, for the Purposes hereof and of the said Acts, be called the "Private Improvement Assessment."

Certain Rates and Assessment to be Burdens on the Premises.

22. Such Special Sewer Rate, General Sewer Rate, and Private Improvement Assessment shall, with Interest thereon at the Rate of Five per Centum per Annum from the Time when the same shall be declared payable, together with all Expenses incurred in the Recovery thereof, continue Burdens on the Lands or Premises liable for the same, or in respect of which the same shall be payable, but that only for Three Years from the Date when the same shall be respectively payable, as against bonâ fide singular Successors or heritable Creditors: Provided always, that nothing herein contained shall affect the Rights and Remedies of Superiors for the Recovery of their Feu Duties and Casualties.

Collector of Rates to grant Certificate.

23. The Collector shall, when required by any Person, be bound to furnish to such Person a Certificate under his Hand, in the Form of Schedule (E.) annexed, to "The General Police and Improvement (Scotland) Act, 1862," showing, with reference to any Premises, what Arrears of such Rates or Assessments, if any, are past due, and the Name of the Owner and Occupier of such Premises as appearing in his Books, and also whether any and what Instalment of such Rates or Assessments are still chargeable in respect of such Premises: Provided always, that for each Certificate in respect of Premises separately entered or charged in the Assessment Books he shall be entitled to a Fee of One Shilling from the Person requiring the same; for which Fee, or for such Portion thereof as the Magistrates and Council may direct, the Collector shall be bound to account to the Magistrates and Council.

Rates and Assessments how to be imposed, and how Appeals to be entered and disposed of.

24. The said Rates or Assessments may be imposed and levied yearly, half-yearly, or at such other Periods as the Magistrates and Council may think fit, and shall be payable at such Times as they appoint; and at the Meeting imposing the same the Magistrates and Council shall appoint a Day on which such Rates or Assessments shall be payable, and another Day on which Appeals by any Parties complaining that they have been improperly rated or assessed may be lodged with the Collector, and another Day or Days on which Appeals in reference to such Rates or Assessments shall be heard by the Magistrates and Council; and Notice to each Party intended to be so rated or assessed, stating the Particulars of the intended Rate or Assessment as regards such Party, and specifying the several Days fixed by the Magistrates and Council as aforesaid, shall be sent by the Collector through the Post Office, or otherwise served upon such Party, at least Two Weeks preceding the Day which may be fixed for hearing the Appeal of such Party, and the Decision of the Magistrates and Council sustaining or dismissing such Appeals in whole or in part shall be final, but the Magistrates and Council may rectify such Rate or Assessment so appealed against.

Recovery of the said Rates and Assessments.

25. As soon as may be after disposing of the Appeals against any such Rate or Assessment, the Magistrates and Council shall cause to be made up a Roll or Book of Assessment, or separate Rolls or Books of Assessments, applicable thereto; and the same, or a Copy thereof, docqueted and signed by the Clerk and

and by the Lord Provost and Treasurer of the City, shall forthwith be delivered over to the Collector as the Rule for levying and collecting the said Rates or Assessments; and if the said Rates or Assessments shall not be paid when the same fall due, the Collector shall take legal Proceedings for Recovery of the same, together with Interest thereon, at the Rate of Five per Centum per Annum, from the Day fixed for Payment thereof as aforesaid, in the same Way and Manner as is herein-before provided for Recovery of the Police Assessment; or the said Rates or Assessments, or any Part thereof, and Interest, with the Expenses attending the Recovery of the same, may be recovered in the same Way and Manner as Debts are recoverable by the Law of Scotland.

Application of surplus Assessment.

26. If any Surplus of any Rate or Assessment under the Provisions hereof shall remain at the End of any Year after the whole Expenses for which such Rate or Assessment was imposed and levied shall have been paid or provided for, every such Surplus respectively shall, except as herein-after provided for, be applied towards the same Purpose in the Year following; and if any such Rate or Assessment for any Year shall not be sufficient for the Purpose for which it was imposed and levied, the Magistrates and Council shall and they are hereby authorized and required to make Provision for the Payment of such Deficiency either by taking the same into account in fixing the Rate of Assessment for the like Purpose in the following Year or Years, or by a separate Assessment or Rate for the Purpose in the following Year or Years, until the same shall be fully paid.

Ordinary Police Purposes.

I.—*Lighting.*

Owners to provideLamps for Common Stairs, &c.

27. The Owner or Owners of Common Stairs or Passages or private Courts, or of Lands or Premises having a Right of Access by any Common Stair or Passage or private Court, shall, when required by the Magistrates and Council, within Seven Days next after Service of an Order for that Purpose, make Provisions for lighting such Common Stair or Passage or Court in a suitable Manner, and for that Purpose provide and erect all necessary Lamps, and alter, repair, and renew such Lamps, to the Satisfaction of the Magistrates and Council; and in default of Compliance with any such Order such Owner or Owners shall be liable to a Penalty not exceeding Forty Shillings for every Day that he or they shall so make Default.

Penalty for not keeping Common Stairs, &c. lighted.

28. If the Lamp or Lamps which may be erected in any such Common Stair or Passage or private Court is or are not regularly cleaned and lighted during such Hours as are from Time to Time fixed by the Magistrates and Council by the Occupier of any Building or Part of a Building to which Access is obtained by such Common Stair or Passage or private Court, every such Occupier failing to do so, whether under Obligation by Contract, or in virtue of this Provision, shall be liable to a Penalty not exceeding Ten Shillings for each Offence.

II.—*Cleansing Streets.*

Dust Boxes may be erected.

29. The Magistrates and Council, if they think fit so to do, may cause any Number of moveable or fixed Dust Boxes or other Conveniences, wherein Dust, Fulzie, and Ashes may be deposited until removed and carried away, to be provided and placed in such Streets or Courts as they shall think proper, and may, if they think proper so to do, require the Occupiers of Premises within such Streets or Courts to cause all their Dust, Fulzie, and Ashes to be deposited daily

daily in the said Dust Boxes or other Conveniences, and every Person who, being so required, shall fail to deposit or cause to be deposited any Ashes, Fulzie, or Dust in some of such Dust Boxes or other Conveniences, shall for every Offence be liable to a Penalty not exceeding Ten Shillings.

Penalty for conveying offensive Matter at improper Hours.

30. The Magistrates and Council may from Time to Time fix the Hours within which only it shall be lawful to remove offensive Matter from any Premises; and when the Magistrates and Council have fixed such Hours, and given public Notice thereof in such Manner as they may deem proper, every Person who removes along any such Street any offensive Matter at any Time except within the Hours so fixed, and every Person who at any Time, whether such Hours have been fixed by the Magistrates and Council or not, uses for any such Purpose any Cart or Carriage not having a Covering proper for preventing the Escape of the Contents of such Cart, or of the Stench thereof, or who wilfully spills any such offensive Matter in the Removal thereof, or who does not carefully sweep and cleanse every Place in which any such offensive Matter has been placed or unavoidably spilled, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings; and in default of the Apprehension of the actual Offender, or in the Case of the actual Offender not being found within the Burgh, the Driver or Person having charge of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender.

Nuisances may be removed on Certificate of Medical Officer of Health.

31. Clause One hundred and ninety-two of "The Edinburgh Police Act, 1848," is hereby amended to this Extent, that a Certificate signed by the Medical Officer of Health for the Time, or by a duly qualified Medical Practitioner appointed by the Magistrates and Council for that Purpose, shall be in every respect equivalent to a Certificate signed by Two legally qualified Medical Practitioners.

III.—*Paving and maintaining Streets.*

Penalty on Persons altering Pavements without the Consent of the Magistrates and Council.

32. Every Person who (except for the Purpose of ordinary Repairs) wilfully displaces, takes up, or makes any Alteration in the Pavement, Flags, or other Materials of any Street or Court without the Consent of the Magistrates and Council in Writing, or without other lawful Authority, shall be liable to a Penalty not exceeding Five Pounds, and also a further Sum not exceeding Five Shillings for every Square Foot or Part of a Square Foot of the paved Flags or other Materials of the Street or Court exceeding One Square Foot so displaced, taken up, or altered; and any Persons having Authority to take up the Pavement, Flags, or other Materials of any Street or Court shall be bound to restore the same in a substantial Manner, and to the Satisfaction of the Magistrates and Council; failing which, the Magistrates and Council shall have Power to restore the Pavement, Flags, or other Materials at the Expense of such Persons, and to enforce Payment thereof.

IV.—*Improving Streets and removing Obstructions.*

Houses may be set forward for improving Line of Street.

33. The Magistrates and Council may allow, upon such Terms as they think fit, any Building within the Burgh to be set forward for improving the Line of the Street in which such Building or any Building adjacent thereto is situated: Provided always, that One Month's previous Notice of their Intention so to do shall be given by public Advertisement in any One or more Newspapers circulating in the Burgh.

Power to purchase Houses, &c. for addi-

34. The Magistrates and Council may, at a Meeting to be held for the Purpose, resolve to acquire Lands or Premises within the Burgh for the Purpose of widening,

tional Improvements.

widening, enlarging, or otherwise improving any of the Streets, Courts, or Closes, and they may re-sell any Parts of such Lands or Premises which shall not be required for such Purposes; and they may also drain, repair, pave, or otherwise improve Streets, Courts, and Places where there may be Doubt as to the Liability of Owners to execute such Works; and when Wooden or other Erections extend into or project over Streets, Courts, or Places so as to interfere with Ventilation, or to interrupt Light, or to be otherwise objectionable on sanitary Grounds, the Magistrates and Council may cause such Erections or Projections to be removed, making Compensation to the Owner as after provided for such Damage as he may sustain by such Removal; but such Compensation shall only be made when the Owner had a legal Right to make or maintain such Erection or Projection; and in Localities within the Burgh, when Houses or other Buildings are, in the Opinion of the Magistrates and Council, built too close to each other, or have become waste and ruinous, or are liable to other Objections on sanitary Grounds, it shall also be lawful to the Magistrates and Council to resolve to acquire and to acquire Lands or Premises for the Purpose of reserving them as vacant Spaces, or of opening up Thoroughfares, or of improving the Buildings, or of otherwise disposing of them so as to improve the sanitary Condition of such Localities; and the Expense of such Acquisitions and Improvements shall be a Charge against the General Improvement Rate hereinbefore authorized to be levied: Provided always, that the Magistrates and Council may, if they shall think fit, resolve that the same shall be charged, and they are hereby empowered to charge the same, against the Police Assessment.

Magistrates and Council may acquire Premises for sanitary Purposes.

Houses projecting beyond Line of Street, when taken down, to be set back.

35. When any House or Building, any Part of which projects beyond the regular Line of the Street, or beyond the Front of the House or Building on either Side thereof, has been taken down in order to be altered, or is to be rebuilt, the Magistrates and Council may require the same to be set backwards to or toward the Line of the Street, or the Line of the adjoining Houses or Buildings, in such Manner as the Magistrates and Council may direct, for the Improvement of such Street: Provided always, that the Magistrates and Council shall make full Compensation to the Owner of any such House or Building for any Damage he thereby sustains, which Compensation may be settled in the same Manner as Compensation for Land to be taken under the Provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," is directed to be settled, and shall form a Charge against the General Improvement Rate: Provided always, that the Magistrates and Council may resolve that the same shall be charged, and they are hereby empowered to charge the same, against the Police Assessment.

V.—*Laying out new Streets.*

Notice of Intention to lay out new Streets to be given to Magistrates and Council.

36. Every Person who intends to make or lay out any new Streets shall give Notice thereof to the Magistrates and Council, in order that the Level and Width of such Street may be objected to by the Magistrates and Council if unsuitable as far as respects Drainage or on other sanitary Grounds: Provided always, that where any such Street is, at the Time of the passing of the Act confirming this Order, the Subject of any Contract for the Formation thereof then existing, the same shall not be held or taken to be a new Street within the Meaning hereof.

Level and Width to be fixed by Magistrates and Council.

37. The Level and Width of every such new Street shall be considered and determined on by the Magistrates and Council within Six Weeks after the Delivery of such Notice, but subject to Appeal to the Sheriff, if such Appeal shall be entered within Three Weeks from the Date of Intimation of such Deliverance by the Magistrates and Council; and the Decision of the Sheriff, if such

such Appeal be taken, or such Deliverance by the Magistrates and Council if not appealed to the Sheriff, shall be final; and the Level and Width so fixed shall be kept thereafter by every Person erecting any House or other Building in such Street.

If Magistrates and Council fail to fix the Level and Width, the Party may proceed without.

38. If the Magistrates and Council do not fix such Level and Width within Six Weeks from the Time of the Delivery of such Notice as aforesaid, the Person giving such Notice may proceed to lay out such Street at any Level and Width which will allow of Compliance with the other Provisions of this Act, as if such Level and Width had been fixed by the Magistrates and Council; and in such Case every Change of the Level and Width which the Magistrates and Council afterwards deem requisite, and the Works consequent thereon, shall be made by the Magistrates and Council, and the Expense thereof, and any Damage which any Person sustains in consequence of such Alteration, shall be defrayed by them out of the Police Assessment.

Persons laying out Streets without Notice to be liable to the Expenses of subsequent Alterations of Level and Width.

39. Every Person who makes or lays out any such new Street as aforesaid, without causing such Notice to be given to the Magistrates and Council as aforesaid, shall be liable to defray all the Expenses consequent upon any Change of the Level and Width of such Street deemed requisite by the Magistrates and Council; and every Person who in building any House or other Building in such Street does not keep the Level and Width fixed by the Magistrates and Council shall be liable to defray all the Expenses consequent upon any Alteration on any such House or Buildings, or any Change of the Level and Width of that Part of such Street on which such House or Building abuts, which the Magistrates and Council deem requisite.

Situation of Gas and Water Pipes to be altered at the Expense of the Magistrates and Council.

40. If the Magistrates and Council deem it necessary to raise, lower, or otherwise alter the Situation of any Water Pipe or Gas Pipe or other Waterworks or Gasworks laid in any such Streets, they may from Time to Time, by Notice in Writing, require the Person to whom any such Pipes or Works belong to cause forthwith any such Pipes or Works to be raised, lowered, or otherwise altered in Position in such Manner as the Magistrates and Council may direct; provided that such Alteration be not such as permanently to injure such Works, or to prevent the Water or Gas from flowing as freely and conveniently as before; and the Expenses attending such raising, lowering, or altering, and Compensation for every Damage done thereby, shall be paid by the Magistrates and Council out of the Police Assessment, or other Rates or Assessments, as the Case may be, as well to the Persons to whom such Pipes or Works belong as to all other Persons.

If Gas or Water Company neglect to make the Alterations, the Magistrates and Council may cause the same to be done.

41. If the Person to whom any such Pipes or Works belong do not proceed forthwith after the Receipt of such Notice to cause the same to be raised, lowered, or altered in such Manner as the Magistrates and Council require, the Magistrates and Council may themselves cause such Pipes or Works to be raised, lowered, or altered as they think fit; provided that such Works be not permanently injured thereby, or the Water or Gas prevented from flowing as freely and conveniently as before.

Width of new Streets or Courts.

42. It shall not be lawful to form, lay out, or build any Street or Court unless the same shall be of a clear Width of Fifteen Feet, measuring from the Buildings or intended Buildings therein.

Height of Houses in Streets or Courts.

43. It shall not be lawful to build any House in any Street or Court which shall be of greater Height than One and One Half Times the Width of such Street or Court; and in no Case shall any such House be of greater Height than Sixty Feet, which Height shall be taken from the Level of the Street Floor in front to the Eave of the Roof.

44. Every

Penalty for forming Streets and Courts contrary to Act.

44. Every Person who shall, from and after the passing of the Act confirming this Provisional Order, form or lay out, or permit or suffer to be formed or laid out, any new Street or Court, or any Part thereof respectively, within the Burgh, or who shall build or add to the Height of any House or Premises therein, or permit or suffer the same to be done, contrary to the Provisions hereof, unless the same shall have been formally sanctioned by the Magistrates and Council on a Consideration of the special Circumstances of the Case, which Sanction they are hereby empowered to give, shall forfeit and pay a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Five Pounds per Day for every Day after the first during which he shall permit or suffer such new Street or Court, or Part thereof, or such House or Premises, to remain so formed, laid out, built, or added to as last aforesaid: Provided always, that the Provisions hereof relating to the Width and Construction of Streets or Courts shall not extend or apply to any existing Street or Court which shall be proved to the Satisfaction of the Magistrates and Council to be agreed to have been formed previous to the passing of the Act confirming this Provisional Order.

Exemption of Roads under Trustees.

45. The Provisions hereof in regard to paving and maintaining Streets, excepting Foot Pavements as above provided, shall not apply to any Roads or Streets which are or may come under the Management of Turnpike or other Road Trustees; and nothing herein contained shall in any respect repeal, alter, or affect the Powers or Obligations of such Trustees, or the Provisions of any Act of Parliament under which they act.

VI.—*Public Sewers.*

Sewers, &c. vested in Magistrates and Council.

46. All Sewers and Drains within the Burgh, whether existing at the Time when the Act confirming this Provisional Order is passed, or made at any Time thereafter, (except Sewers and Drains within the private Property of any Person made and used as of private Right by any Person or Persons for his or their own Benefit, or for the Benefit of Proprietors or Shareholders, and except Sewers and Drains made and used for the Purpose of draining, preserving, or improving Land under any Local or Private Act of Parliament,) shall vest in and belong to and be entirely under the Management and Control of the Magistrates and Council.

Power to purchase, &c. certain Sewers.

47. The Magistrates and Council may, if they shall think fit, purchase the Rights, Privileges, Powers, and Authorities vested in any Person for making Sewers not hereby vested in the Magistrates and Council, or contract for the Use of any such Sewers within the Burgh, or purchase any such Sewers with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Rights, Privileges, Powers, Authorities, Sewers, Buildings, Works, Materials, or Things belong may sell and dispose of the same to or otherwise contract with the Magistrates and Council; and in case of any such Sale the Purchase Money shall be settled and applied to the same Uses and Purposes to which the Property purchased may have been subject at the Time of such Sale, and the Property purchased shall vest in and belong to the Magistrates and Council purchasing the same, any Law to the contrary notwithstanding: Provided always, that, notwithstanding any such Purchase, any Person who previously thereto may have acquired perpetual Right to use any Sewer so purchased shall be entitled to use the same, or any other Sewer substituted in lieu thereof, in as full and ample a Manner as he would or might have done if such Purchase had not been made.

48. Nothing

Private Sewers or Watercourses, &c. not to be used without Consent.

48. Nothing herein contained shall be construed to authorize the Magistrates and Council, contrary to or inconsistently with any private Right, to use, injure, or interfere with any Sewers or other Works already made or used for the Purpose of draining, preserving, or improving Land under any Local or Private Act of Parliament, or for the Purpose of irrigating Lands, or to use, injure, or interfere with any Watercourse, Stream, River, Dock, Basin, Wharf, Quay, or Towing-path in which the Owner or Occupier of any Lands, Mills, Mines, or Machinery, or the Proprietors of any Canal or Navigation, shall have Right and Interest, without Consent in Writing first had and obtained from the Person legally entitled to grant the same; and nothing herein contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities given or reserved to any Person under any Local or Private Act of Parliament for the Drainage, Preservation, or Improvement of Land, or for or in respect of any Mills, Mines, Machinery, Canal, or Navigation as last aforesaid.

Drainage Districts to be formed.

49. The Magistrates and Council may from Time to Time divide the whole Burgh, if and as Occasion shall require, into separate Drainage Districts, having regard in such Division to the Nature of the Ground, to the Main Lines of Sewers by which such separate Drainage Districts are or shall be drained, and to the equal Benefit as far as may be of all the Lands or Premises to be comprised in any such Drainage District, and shall cause the Burgh Engineer to define and describe the several Drainage Districts on a Plan of the Burgh to be made as after provided for.

Power to Magistrates and Council to construct Sewers where none exist, making Compensation to Owners of Property.

50. The Magistrates and Council shall from Time to Time, subject to the Restrictions herein contained as to the Notice to be given and the Plans and Estimates to be prepared, cause to be made, under Streets or Courts or elsewhere, such Main and other Sewers as shall be necessary for the effectual draining of any Portion of the Burgh, and shall also, if necessary for such Drainage, deepen, divert, or cover over any Burn or Ditch made use of as a Common Sewer, or any Burn or Ditch into which Sewage flows, or any Portion thereof, or may cause Pipes to be laid along the Course of such Burn or Ditch, or any Portion thereof, and shall also cause to be made all such Reservoirs, Sluices, Engines, and other Works as shall be necessary for cleansing such Sewers, and, if needful, they may carry such Sewers through and across all underground Cellars and Vaults under any Streets or Courts, doing as little Damage as may be, and making full Compensation for any Damage done; and if, for completing any of the aforesaid Works, it be found necessary to carry them into or through any enclosed or other Lands, the Magistrates and Council may carry the same into or through such Lands accordingly, making full Compensation to the Owners and Occupiers thereof, and they may cause the Refuse from such Sewers to be conveyed by a proper Channel to the most convenient Site for its Collection and Sale for agricultural or other Purposes, as may be deemed most expedient, but so that the same shall in no Case become a Nuisance: Provided always, that if in making any such Main and other Sewers, or in repairing, constructing, or enlarging the same or existing Drains or Sewers, the Contents at present carried into any existing Outlet shall be diverted therefrom to the Prejudice of any actual existing legal Right, the Magistrates and Council shall be bound to make Compensation therefor, which Compensation shall be settled in the same Manner as Compensation for Land to be taken under the Provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," is directed to be settled.

Magistrates and Council may alter

51. The Magistrates and Council may from Time to Time, as they see fit, repair, enlarge, alter, arch, or cover over, and otherwise improve all or any of the

Sewers from Time to Time.

Sewers vested in them; and if any of such Sewers at any Time appear to them to have become useless, the Magistrates and Council, if they think fit to do so, may demolish and discontinue such Sewer, provided that it be so done as not to create a Nuisance.

Magistrates and Council not to destroy existing Sewers, &c. without providing others.

Penalty for Neglect.

52. If any Person, by means of any Enlargement, Alteration, or Discontinuance of any Sewer, or other Proceeding of the Magistrates and Council, be deprived of the Use of any Sewer or Drain which such Person was theretofore lawfully entitled to use, the Magistrates and Council shall provide some other Sewer or Drain equally effectual for such Purpose; and if the Magistrates and Council refuse, or do not within Seven Days next after Notice in Writing served upon them begin, and thereupon diligently proceed to restore to its former effective State such Drain or Sewer the Use whereof has been affected by the Acts of the Magistrates and Council, or to provide such other Sewer or Drain as aforesaid, they shall forfeit to the Person aggrieved any Sum not exceeding Forty Shillings for every Day after the Expiration of such Seven Days during which he is deprived of the Use of the Drain or Sewer to which he was so entitled, and is not provided with such other Drain or Sewer as aforesaid.

Magistrates and Council to cause Estimates to be prepared before Execution of Works.

53. Before entering into any Contract for executing any such Work as aforesaid, the Magistrates and Council shall procure from the Burgh Engineer an Estimate of the probable Expense of constructing the same in a substantial Manner, and of the yearly Expense of maintaining the same in repair, and the Burgh Engineer shall accompany such Estimate with a Report as to the most advantageous Mode of constructing such Work, whether under a Contract for constructing the same merely, or a Contract for constructing the same and maintaining it in repair during a given Term of Years.

Penalty for making unauthorized Drains.

54. Every Person, not being employed or authorized for that Purpose by the Magistrates and Council, who shall make any Drain from any Lands or Premises into any of the Sewers vested in the Magistrates and Council, shall be liable to a Penalty not exceeding Five Pounds; and the Magistrates and Council may cause such Drain to be re-made as they think fit, and the Expense incurred thereby shall be paid by the Owner of the Lands or Premises, and that over and above a reasonable Sum of Money for the Use of the Sewers which the Magistrates and Council are hereby authorized and required to exact for all Lands or Premises which were not assessed for the Expense of making such Sewers, or which shall have been built, enlarged, or altered after the Assessment for making the same was imposed or levied, and the Magistrates and Council shall fix and determine the Sum to be paid as they shall consider just.

Vaults and Cellars under Streets not to be made without the Consent of the Magistrates and Council.

55. No Building shall be erected over any Sewer belonging to the Magistrates and Council, and no Vault, Arch, or Cellar shall be made under the Carriageway of any Street, without the Consent of the Magistrates and Council first obtained in Writing; and all such Vaults, Arches, and Cellars shall be substantially made, and so as not to interfere or communicate with any Sewers belonging to the Magistrates and Council; and if any Building be erected, or any Vault, Arch, or Cellar be made therein, contrary to the Provisions herein contained, the Magistrates and Council may demolish or fill up the same, and the Expenses incurred thereby shall be paid by the Persons erecting such Building, or making such Vault, Arch, or Cellar.

All Sewers, &c. to be covered with Traps.

56. All Sewers and Drains within the Burgh, whether public or private, shall be provided by the Magistrates and Council, or other Persons to whom they severally belong, with proper Traps or other Coverings or Means of Ventilation so as to prevent Stench.

Distillers to construct Reservoirs to deposit Refuse.

57. The Owners or Occupiers of Distilleries, Manufactories, and other Works shall be compelled, where possible, to dig, make, and construct Pools or Reservoirs within their own Ground, or as near their Works as possible, for receiving and depositing the Refuse of such Works so far as offensive or dangerous to the Health of those living in the Vicinity thereof, or to use the best practicable Means for rendering the same inoffensive or innoxious before discharging it into any River, Stream, Ditch, or Sewer.

Sewers may be used by Owners and Occupiers of Land or Premises beyond Limit of Burghs.

58. Any Person, being the Owner or Occupier of any Lands or Premises beyond the Burgh, and in respect of which he would not be liable to the Payment of the Rates authorized to be levied under the Provisions hereof, may, with the Consent of the Magistrates and Council first obtained in Writing, upon Payment to them of a reasonable Sum of Money to be agreed upon between them, at his own Expense, and under the Superintendence of the Burgh Engineer, cause to branch into and to communicate with any of the Sewers belonging to the Magistrates and Council any Sewer or Drain in respect of the said Lands or Premises which may be lawfully made therefrom, of such Size and in such Manner and Form of Communication as the Magistrates and Council approve of: Provided always, that nothing herein contained shall affect any Right theretofore acquired by such Owner or Occupier to use any of the Sewers or Drains belonging to the Magistrates and Council.

Ventilation of Sewers.

59. The Magistrates and Council shall have Power and are hereby authorized to arrange with the Owner or Occupier of any Manufactory, Gaswork, Brewery, or other Premises having Furnaces and Chimney Shafts so situated as to be available for the Ventilation of the adjacent Sewers and Drains; and the said Magistrates and Council are hereby authorized and empowered to acquire Lands or Premises, and to construct all Shafts, Ventilating Shafts, Furnaces, and other Works, which may be found necessary from Time to Time for the efficient Ventilation of the existing Sewers and Drains, or of such Sewers or Drains as are hereby authorized to be constructed; and in the Execution of this Provision the Magistrates and Council shall have and exercise every Power which is hereby conferred upon them with reference to the Construction of Sewers and Drains; and all Costs and Expenses which may be incurred by the Magistrates and Council in carrying this Provision into effect shall form a Charge against the "General Sewer Rate," or against any "Special Sewer Rate," which in their Opinion may be properly liable therefor; provided always, that the Magistrates and Council may, if they shall think fit, resolve that the same shall be charged, and they are hereby empowered to charge the same against the Police Assessment.

Power to borrow Money for the Construction of Sewers.

60. It shall be lawful for the Magistrates and Council to borrow, for the Purpose of making, enlarging, reconstructing, ventilating, and maintaining Sewers which have been formed under the Provisions of "The Edinburgh Police "Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The "Municipality Extension Act, 1856," or the Formation of which otherwise has been sanctioned by the Magistrates and Council for the Benefit of any particular District, or which may be formed under the Provisions hereof, and on the Security of the said Special Sewer Rates and General Sewer Rates, such Sums of Money and at such Times as the Magistrates and Council shall deem necessary for that Purpose, and to assign the said Special Sewer Rates and General Sewer Rates in security of the Money to be so borrowed; and the Provisions hereof with respect to the borrowing of Money and the granting of Bonds therefor, and the Transference and recording of such Bonds, shall be applicable to the borrowing of Money for the Purpose of making, enlarging, reconstructing,

reconstructing, ventilating, and maintaining Sewers; and the Bonds to be granted for the Money so to be borrowed shall, mutatis mutandis, be in the Form as near as may be set forth herein for Bonds to be granted for Money borrowed under the general Powers hereof, and shall constitute a Lien over the Special Sewer Rates and General Sewer Rates thereby assigned, and shall entitle the Creditors therein to recover the Sums thereby due from the Magistrates and Council and their Officers out of the first and readiest of the Special and General Sewer Rates.

Application of borrowed Money for constructing Sewers.

61. The Money so borrowed shall be applied wholly in defraying the Expense of making, enlarging, reconstructing, ventilating, and maintaining Sewers as aforesaid, and to no other Purpose whatsoever; and the Special and General Sewer Rates shall not be liable for, nor be assigned in security of, the Payment of any Sums borrowed by the Magistrates and Council for any other Purpose than the making, Enlargement, Reconstruction, Ventilation, or Maintenance of Sewers.

Persons aggrieved by making, &c. Sewers may appeal to the Sheriff.

62. Provided always, That it shall not be lawful to the Magistrates and Council to authorize the Construction of any Sewer the Sewage from which will be discharged into any River or Stream from which Water is taken for domestic Purposes, so as to injure or affect such Supply; and as regards the making, altering, or maintaining Sewers, and the discharging thereof into any River or Stream, it shall be lawful for any Person whose Property may be taken or affected, or who may think himself thereby aggrieved, to appeal thereon to the Sheriff in manner after provided.

VII.—*Drainage of Houses.*

Magistrates and Council empowered to construct Drains from Houses, charging Owners, &c. with the Expense.

63. If any House or Building within the Burgh be at any Time not drained by a sufficient Drain or Pipe communicating with some Sewer to the Satisfaction of the Magistrates and Council, and if there shall be such Means of Draining within One hundred Yards of any Part of such House or Building, the Magistrates and Council shall construct or lay from such House or Building a covered Branch Drain or Pipe of such Materials, of such Size, at such Level, and with such Fall as they think necessary for the Drainage of such House or Building, its Areas, Waterclosets, and Offices; and the Expense thereof shall be recoverable from the Owner of such House or Building over and above any Sum that may be charged for the Use of the Sewers as above provided for.

No House to be hereafter built without Drains being constructed.

64. No House or Building within the Burgh shall be built upon a lower Level than will allow of the Drainage of the Wash and Refuse of such House or Building into some Sewer belonging to the Magistrates and Council, either then existing or marked out by them; and if there be such Means of Drainage existing within One hundred Yards of such intended House or Building, the Magistrates and Council shall cause a Branch Drain leading thereunto from the intended Site of such House to be made of such Materials, of such Size, at such Level, and with such Fall as they think fit; or if there be no such Means of Drainage within One hundred Yards of any Part of the said intended Site of such House or Building, then such Drain shall be made so as to lead into such covered Cesspool or other Place as the Magistrates and Council direct, not being under any Dwelling House, and constructed and kept in complete Repair to the Satisfaction of the Magistrates and Council, so as effectually to prevent any Leakage or Effluvium therefrom until such Sewer as aforesaid is made by the Magistrates and Council, when they shall make a Drain to communicate with such new made Sewer, and shall demolish and fill up any such Cesspool.

65. Whenever

65. Whenever any House is rebuilt within the Burgh, the Level of the Cellar or other lowest Floor of such House shall be raised sufficiently to allow of the Construction of such Drain as is herein-before provided in the Case of Houses to be built after the passing of the Act confirming this Provisional Order; and whenever any House is taken down to or below the Ceiling of the Floor commonly called the Ground or Street Floor for the Purpose of being built up again, such Building shall be deemed a rebuilding within the Meaning hereof.

Where Houses are built, the Level shall be sufficient to allow a Drain to be constructed.

66. Before beginning to build any new House or to rebuild any existing House within the Burgh, the Person intending to build or rebuild such House shall give to the Magistrates and Council Notice thereof in Writing, and shall accompany such Notice with a Plan showing the Level at which the Foundation of such House is proposed to be laid by Reference to some Level ascertained under the Direction of the Magistrates and Council.

Notice of Buildings and Rebuildings to be given to the Magistrates and Council.

67. Within Fourteen Days after receiving such Notice the Magistrates and Council may signify their Disapproval of the Level at which it is proposed to lay the Foundation of any such House, and in case of such Disapproval may, within the said Fourteen Days, fix the Level at which the same is to be laid, but subject to Appeal to the Sheriff if such Appeal shall be entered within Two Weeks from the Date of the Intimation of such Disapproval; and the Decision of the Sheriff, if such Appeal be taken, or the Deliverance of the Magistrates and Council, if not appealed to the Sheriff, shall be final.

Magistrates and Council may signify Disapproval within Fourteen Days.

68. In default of sending such Notice and Plan, or if such Building be begun or made at any Level different from that fixed by the Magistrates and Council, within the said Fourteen Days, or determined on Appeal, as after provided, or in any other respect is contrary to the Provisions hereof, the Magistrates and Council may, if necessary, cause such Building to be altered or demolished, as the Case requires, and the Expense incurred by the Magistrates and Council in respect thereof shall be repaid to them by the Persons failing to comply with the Provision aforesaid.

Magistrates and Council may cause Houses built without Notice, or contrary to Provisions of this Act, to be altered.

69. If the Magistrates and Council fail to signify in Writing their Approval or Disapproval of the Level shown on such Plan as aforesaid within Fourteen Days after receiving such Notice and Plan as aforesaid, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build or rebuild the House therein referred to according to the Level shown on such Plan, provided that no such building or rebuilding be otherwise in accordance with the Provisions hereof.

If Magistrates and Council fail to signify their Approval, &c. within Fourteen Days, Parties may proceed without.

70. All Branch Drains, as well within as without the Premises to which they belong, and all Cesspools or Reservoirs within the Burgh, shall be under the Survey and Control of the Magistrates and Council, and shall be altered, repaired, cleansed, and kept in proper Order at the Cost and Charges of the Owners of the Premises to which the same belong, or for the Use of which they are constructed or continued; and if the Owner of any Premises to which any such Drain or Cesspool or Reservoir belongs neglect, during Seven Days after Notice in Writing for that Purpose, to alter, repair, cleanse, and to put the same into good Order in the Manner required by the Magistrates and Council, the Magistrates and Council may, at the Expense of such Owner, cause such Drain or Cesspool or Reservoir to be altered, repaired, cleansed, covered, and put in good Order. And it is hereby provided, that the Occupiers of all Premises within the Burgh shall be bound at least once every Two Years to cause all Cesspools or Reservoirs belonging to or used by them, or connected with such Premises, to be cleansed; and the Occupier defraying such Expense shall

Drains and Cesspools to be kept in good Order by Owners.

If Owners neglect, Magistrates and Council may cause the same to be done, and charge the Owners with the Expense.

shall be entitled to retain the same from the next Term's Rent payable to the Owner; as also provided, that when any Cesspool or Reservoir is used by the Occupiers of Two or more Houses belonging to different Owners, the Cost of such cleansing shall be defrayed by the Occupiers of such Houses in the Proportions of the Rental thereof as entered in the Valuation Roll; and wherever any such Cesspool or Reservoir shall not be so cleansed, the Owner of each House connected therewith or using the same shall be liable to a Penalty of Forty Shillings, and to a further Penalty of Twenty Shillings for every Day that such Cesspool or Reservoir remains uncleansed after Notice requiring him to do so shall have been given by the Burgh Engineer, Inspector of Cleansing, or other Officer appointed by the Magistrates and Council.

As to the Inspection of Drains and Cesspools.

71. The Burgh Engineer, Inspector of Cleaning, or other Officer appointed by the Magistrates Council may inspect any Drain or Cesspool or Reservoir within the Burgh, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing to the Occupier of the Premises to which such Drain or Cesspool or Reservoir is attached, may enter upon any Premises, with such Assistants or Workmen as are necessary, and cause the Ground to be opened where he thinks fit, doing as little Damage as may be; and if such Drain or Cesspool or Reservoir be found to be clean and in proper Order and Condition, he shall cause the Ground to be closed and made good as soon as may be; and the Expense of opening, closing, and making good such Drain or Cesspool or Reservoir shall in that Case be defrayed by the Magistrates and Council.

Penalty on Persons making or altering Drains, &c. contrary to the Orders of the Magistrates and Council.

72. If such Drain or Cesspool or Reservoir be, on Inspection, found to have been constructed, after the passing of the Act confirming this Provisional Order, contrary to the Directions and Regulations of the Magistrates and Council, or contrary to the Provisions hereof, or if any Person without the Consent of the Magistrates and Council construct, rebuild, or unstop any Drain or Cesspool or Reservoir which has been ordered by them to be demolished or stopped up or not to be made, every Person so doing shall be liable to a Penalty not exceeding Five Pounds; and the Magistrates and Council may cause such Amendment or Alteration to be made in any such Drain or Cesspool or Reservoir as they think fit.

Parties aggrieved may appeal to the Sheriff.

73. As regards House or Branch Drains, and the building or rebuilding any House, it shall be lawful for any Person whose Property may be thereby taken or affected, and thinking himself thereby aggrieved, to appeal thereon to the Sheriff in manner after provided.

VIII.—*Soil Pipes and Waterclosets.*

Water and Waterclosets.

74. Within One Month after Notice given by the Magistrates and Council in Writing for that Purpose, the Owner of every House or Part of a House occupied by a separate Family into which Water has not been already introduced shall introduce Water into every such House or Part of a House within the Burgh by means of a Pipe not less than Half an Inch Bore, fitted with a Crane opening upon the Sink after mentioned, and shall fit up in some Window, Recess, or other well-lighted or ventilated Place a Sink, with a sufficient Soil Pipe to carry off the whole foul Water into the nearest Drain or Sewer; and after like Notice every Owner shall also provide for such House or Part of a House occupied by a separate Family, wherever practicable, and in a Position to be approved of by the Burgh Engineer, a sufficient Watercloset; and the said Sinks, Soil Pipes, and Waterclosets shall be properly applied, trapped, and ventilated, and these and the Water Pipes fitted up in a complete Manner, and

so as to prevent any Leakage or Effluvium therefrom; and all Sinks, Soil Pipes, Waterclosets, and Water Pipes already existing, or which may be fitted up under the Provisions hereof, shall be kept in complete Repair, to the Satisfaction of the Magistrates and Council, for the Use of the Occupants of such House or Part of a House: Provided always, that if in the Opinion of the Magistrates and Council it is not advisable to introduce Waterclosets into each House or Part of a House, they, after a like Notice, may require the Owners of a Tenement to construct on each Flat, or in some convenient Place or Places adjacent to such Tenement, but in every Case in a Position approved of by the Burgh Engineer, a sufficient Number of Waterclosets for the separate Use of each Sex of the Inmates and Occupiers of the said Tenements: Provided always, that this Enactment shall not be enforced by the Magistrates and Council where, from Water not having been laid under sufficient Pressure, or from Drains being still unmade, or from any other Cause, such Works shall be considered by them to be impracticable or inexpedient.

Certain Waterclosets to be constructed in Factories, &c.

75. If at any Time it shall appear to the Magistrates and Council, upon the Report of the Burgh Engineer, that any House is used or intended to be used as a School or Factory, or Building in which Persons of both or either of the Sexes, and above Ten in Number, are employed or intended to be employed at One Time in any Manufacture, Trade, or Business, the Magistrates and Council may, if they shall think fit, by Notice in Writing to the Owner or Occupier of such House, require them or either of them, within a Time to be specified in such Notice, to construct, in a Position approved of by the Burgh Engineer, a sufficient Number of Waterclosets or Privies for the separate Use of each Sex; and any Person refusing or neglecting to comply with any such Notice shall be liable for each Default to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for every Day during which the Default is continued.

Ventilation of Waterclosets.

76. Wherever in any House at present existing Waterclosets are constructed so as to ventilate into Common Stairs, the Owners of such House shall, whenever the Medical Officer of Health shall certify the same to be offensive or injurious to Health, be bound to adopt all practicable Means to ventilate such Waterclosets by Shaft or other Means communicating directly and only with the open Air, or in such other Manner as the Magistrates and Council may direct; and in all Houses to be hereafter erected within the Burgh for the Use of Two or more Families the Waterclosets shall be constructed so as to ventilate by Shaft or otherwise into the open Air; and all Persons failing so to ventilate such Waterclosets shall be liable in a Penalty of Forty Shillings for every Day during which the Default is continued.

Owners of Flats of Houses to have a Supply Pipe from Water Pipe.

77. It shall be lawful for the Owners of any One or more Floors or Stories of any House or other Building within the Burgh to have a Supply Pipe from any Water Pipe in the Street brought up the Common Staircase, or along the Back or Side Wall of the Tenement on the Outside, and either passing underground through the sunken Storey or lowest Flat, or, where practicable, through any common Entry; provided always, that Authority shall be first obtained from the Magistrates, which may be granted summarily, on hearing the Parties concerned, without written Pleading, to lay and put up such Pipe; and the Expense of laying and putting up, and of keeping the same in repair, and the Damage thereby occasioned to the Street and otherwise, shall be defrayed by the Person using the same; and no Person shall have Power to join the Supply Pipe to any Main Pipe without the Sanction of the Magistrates, or any One of them, so obtained, and of any Water Company who may supply such Water: Provided

Provided always, that before such Sanction is granted by the Magistrates, or any One of them, Notice of the Application therefor shall be given to the Proprietors of Property proposed to be interfered with in any way, and an Opportunity afforded them of being heard for their Interest.

Soil Pipes may be carried through the different Houses.

78. Where there are Two or more Houses in any Tenement, the Owner and Occupier of each House shall permit Soil Pipes, if necessary, to be carried through the same; and the Owner and Occupier of the lowest Storey shall permit such Soil Pipes, if necessary, to be carried through and under the same; and all such Owners and Occupiers shall at all reasonable Times afford Access to all such Houses for the Construction of the Works, and for making all Repairs necessary thereon, without any Claim for Compensation: Provided always, that the Works shall be so executed as to occasion the least Inconvenience to any such Owner and Occupier, and that any Injury done to such Houses in the Execution of the Works shall be forthwith repaired, and that the Authority of the Magistrates shall first be obtained, in the Manner herein-before provided with respect to Supply Pipes from Water Pipes.

Owners of Flats of Houses may erect Waste Pipes to communicate with Drains.

79. In all Streets, Courts, and other Places within the Burgh where Common Sewers are or may be constructed, it shall be lawful for any Owner of One or more Floors or Stories of any House or other Building divided into separate Floors or Stories (on obtaining Authority for the Purpose from the Magistrates summarily, after visiting the Premises, or on the Report and Recommendation of the Burgh Engineer, or of such other Person skilled in Building as any of the Magistrates may appoint, and on hearing the Parties interested,) to erect a Waste or Foul Water Pipe or Soil Pipe in or upon the Common Staircase, or along the Back or Side Wall of the Tenement on the Outside, to communicate with any Drain underground leading into the Common Sewer, where there is such Drain, and with Power to make such Drain if none such already exist: Provided always, that the Sanction of the Magistrates and Council shall be obtained before connecting such Drain with any Common Sewer; and the Expense and Damage occasioned by erecting and constructing such Pipe, Drain, and Communication, with the Expense of restoring the Street, Court, or other Place so far as interfered with, and the Expense of keeping such Drain and Communication clean and in good Repair, with such reasonable Allowance for the Use of the Common Sewer as the Magistrates and Council may fix, shall be defrayed by the Owners of the Floors or Flats making use thereof in proportion to their respective Rents or annual Value, as the same may be ascertained from the Police Assessment Books or otherwise.

General Police Regulations.

I.—*Precautions during Repairs and old and ruinous Tenements.*

Bars to be erected across Streets while Repairs or Alterations are making, and Lights placed at them.

80. The Magistrates and Council shall, during the Construction or Repair of any Buildings, Sewers, or Drains, take proper Precaution for guarding against Accident by shoring-up and protecting the adjoining Houses, and may stop any Street or Court, and prevent the same being used as a Common Passage or Thoroughfare, while such Works are carried on, as to them shall seem proper; and the Magistrates and Council shall cause any Sewer or Drain or other Works, during the Construction or Repair thereof, to be lighted and guarded during the Night so as to prevent Accidents; and every Person who uses any Street or Court while so stopped as a Common Passage or Thoroughfare, or extinguishes any Light, without the Authority or Consent of the Magistrates and Council, shall for every such Offence be liable to any Penalty not exceeding Five Pounds.

81. Every

Hoards to be set up during Repairs.

81. Every Person intending to build or take down or repair any Building within the Burgh, or to cause the same to be so done, or to execute any Operation by or in consequence of which any Street, Court, or Footway may be obstructed or rendered inconvenient, shall obtain Authority from the Magistrates and Council to put up, and such Authority being obtained shall put up, subject to such Conditions as may be prescribed by the Magistrates and Council, Hoards or Fences to the Satisfaction of the Burgh Engineer, in order to separate the Building where such Works are being carried on from such Street or Court, with a convenient Platform and Handrail (should such Handrail be considered necessary), if there be Room enough, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition to the Satisfaction of the Magistrates and Council during such Time as the Burgh Engineer shall fix and the public Safety or Convenience requires, and shall in all Cases in which it is necessary, in order to prevent Accidents, cause the same to be sufficiently lighted during the Night; and every such Person who puts up such Hoard or Fence without previously obtaining the Authority of the Magistrates and Council so to do, or who fails to put up such Fence or Hoard or Platform with such Handrail as aforesaid, or fails to continue the same respectively standing and in good Condition as aforesaid during the Time aforesaid, or who does not, while the said Hoard or Fence is standing, keep the same sufficiently lighted during the Night, or who does not remove the same, when directed by the Magistrates and Council, within a Time specified for that Purpose, shall for every such Offenee be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Penalty for not lighting Deposits of Building Materials or Excavations.

82. When any Building Materials, Rubbish, or other Things are laid, or any Hole made, in any Street or Court, whether the same be done by Order of the Magistrates and Council or not, the Person causing such Materials or other Things to be so laid, or such Hole to be made, shall, at his own Expense, cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sunsetting to Sunrising while such Materials or Hole remain; and such Person shall, at his own Expense, cause such Materials or other Things and such Hole to be sufficiently fenced and enclosed until such Materials or other Things are removed, or the Hole filled up or otherwise made secure; and every such Person who fails so to light, fence, or enclose such Materials or other Things, or such Hole, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

83. In no Case shall any such Building Materials or other Things, or such Hole, be allowed to remain longer than may be fixed by the Burgh Engineer, under a Penalty not exceeding Five Pounds to be paid for every such Offence by the Person who causes such Materials or other Things to be laid, or such Hole to be made, and a further Penalty not exceeding Forty Shillings for every Day during which such Offence is continued after the Conviction for such Offence.

Dangerous Places to be repaired or enclosed.

84. If any Building or Hole or any other Place near any Street or Court be, for Want of sufficient Repair, Protection, or Enclosure, dangerous to the Passengers along such Street or Court, the Magistrates and Council shall cause the same to be repaired, protected, or enclosed so as to prevent Danger therefrom.

Ruinous or dangerous Buildings to be taken down or secured by Owners, &c.

85. If any Building or Wall or other Erection, of whatever Form or Material, or anything affixed thereon, within the Burgh, be deemed by the Burgh Engineer to be in a ruinous State, and dangerous to Passengers or to the Occupiers thereof, or of the neighbouring Buildings, the Burgh Engineer shall immediately cause such Occupiers endangered thereby to remove from the Occupancy of such Buildings or other Erection until the same are put into a safe Condition, and shall, if he judge the same to be necessary, cause a proper Hoard or Fence, or Props, to be put up for the Protection of Passengers, and shall also cause, if he shall judge necessary, the neighbouring Buildings to be properly shored up, and shall cause Notice in Writing to be given to the Owner of such Building, Wall, or other Erection or Thing, if he be known and resident within the Burgh, and shall also cause such Notice to be put on the Door of such Building or on such Wall, or on a conspicuous Part thereof, or otherwise to be given to the Occupier thereof, if any, requiring such Owner forthwith to take down, secure, or repair such Building, Wall, or other Erection or Thing, or as the Case shall require; and if such Owner do not begin to repair, take down, or secure such Building, Wall, or other Erection or Thing within the Space of Three Days after such Notice has been so given or put up as aforesaid, and complete such Repairs, or taking down, or securing, as speedily as the Nature of the Case will admit, the Dean of Guild of the Burgh, or the Sheriff, according as such Building, Wall, or other Erection or Thing shall be situated in their then respective Jurisdictions, shall, on the Complaint of the Burgh Engineer, or of the Procurator Fiscal of their respective Courts, and after Inquiry, order the Owner of such Building, Wall, or other Erection or Thing to take down, rebuild, repair, or otherwise secure, to the Satisfaction of the Burgh Engineer, the same, or such Part thereof as appears to them to be in a dangerous State, within a Time to be fixed by the said Dean of Guild or Sheriff; and in case the same be not taken down, repaired, rebuilt, or otherwise secured within the Time so limited, the Magistrates and Council shall with all convenient Speed cause all or so much of such Building, Wall, or other Erection or Thing as shall be in a ruinous Condition and dangerous as aforesaid to be taken down, repaired, rebuilt, or otherwise secured in such Manner as shall be requisite; and all the Expenses of enforcing such Removal and of putting up every such Fence, or of shoring up such Buildings, or of taking down, repairing, rebuilding, or securing such Building, Wall, or other Erection or Thing, shall be paid by the Owner thereof.

If Owner, &c. neglect to repair, Magistrates and Council may cause the same to be done, charging Owner, &c. with the Expenses.

The Expenses to be levied on the Owner.

86. If the Owner of such Building or Wall, or other Erection or Thing, can be found within the Burgh, and if, on Demand of the Expenses aforesaid, he neglect or refuse to pay the same, the Dean of Guild or Sheriff shall, on a Certificate of such Demand and Neglect or Refusal, signed by the Clerk, grant Decree against such Owner for Payment thereof, on which Decree all legal Diligence may proceed, or the Magistrates and Council may proceed against such Owner for the Recovery of the said Expenses in Terms of the General Provisions hereof for Recovery of Expenses, or otherwise as accords of Law.

If Owner cannot be found, Magistrates and Council may take the House or Ground, making Compensation.

87. If such Owner cannot be found within the Burgh, or if such Expenses are not otherwise fully recovered, the Magistrates and Council, after giving Twenty-eight Days Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on such Building, Wall, or other Erection or Thing, or on the Land whereon such Building or Wall stood (provided that such Expenses be not paid or tendered to them within the said Twenty-eight Days), may deal with such Building or Land as waste and ruinous, and bring the same to Sale in manner herein-after provided, or, in the Option

Option of the Magistrates and Council, they may take such Building or Land, making Compensation to the Owner of such Building or Land in the Manner provided by "The Lands Clauses Consolidation (Scotland) Act, 1845," in the Case of Lands taken otherwise than with the Consent of the Owners and Occupiers thereof, and the Magistrates and Council shall be entitled to receive out of the Price obtained for such Building or Land, if sold, or to deduct out of such Compensation, the Amount of the Expenses aforesaid, and if they shall take such Building or Land and make Compensation therefore as aforesaid, they may thereupon sell or otherwise dispose of the said Building or Land for the Purposes hereof.

Magistrates and Council may sell the Materials, restoring to the Owner Overplus arising from the Sale.

88. If any such House, Building, Wall, or other Erection or Thing as aforesaid, or any Part of the same, be pulled down by virtue of the Powers aforesaid, the Magistrates and Council may sell the Materials thereof, or so much of the same as shall be pulled down, and apply the Proceeds of such Sale in Payment of the Expenses incurred in respect of such House or Building; and the Magistrates and Council shall restore any Surplus arising from such Sale to the Owner of such House, Building, Wall, or other Erection or Thing on Demand; nevertheless the Magistrates and Council, although they sell such Materials for the Purposes aforesaid, shall have the same Remedies for compelling the Payment of so much of the said Expenses as may remain due after the Application of the Proceeds of such Sale as are herein-before given to them for compelling the Payment of the whole of the said Expenses.

Ruinous Buildings to be pulled down, and Areas or Cellars to be cleaned and fenced or secured.

89. It shall be lawful for the Burgh Engineer to give a written or printed Intimation to all or One or more of the Owners of any ruinous Building, or of any Area or Space occupied by the Walls or Rubbish of Buildings, or by other Rubbish, or of any Cellar occupied by Rubbish, or otherwise in a filthy State, or of any open Area or Space which ought to be fenced, requiring such Owners within Six Days after such Intimation to cause the same to be pulled down, cleared out, or fenced and secured to the Satisfaction of the Burgh Engineer, so as to prevent the same being or becoming the Cause of Nuisance or Danger to the Inhabitants; and in case said Owners shall fail to comply with the Terms of such Intimation within the Time specified, it shall be lawful for the Judge of Police to subject such Owners in a Penalty not exceeding Forty Shillings, and in a farther Penalty not exceeding Ten Shillings for each Week during which they shall fail to comply with such Intimation; and it shall be lawful for the said Judge, farther, to order such ruinous Building or Area, or Cellar, or open Area or Space, to be pulled down, cleared out, built up, or fenced and secured to the Satisfaction of the Burgh Engineer, and to find the said Owners liable in the Expense of the same, and in all Charges connected therewith, which Charges and Expenses may be sued for and recovered in manner herein provided: Provided always, that where One or more of such Owners shall, either in Terms of said Intimation, or in consequence of the Order of the said Judge, disburse the Expense of the Work required, he or they shall have recourse upon the other Owners liable, in Proportions according to their respective Interests; and where such ruinous Building or Area, or Cellar, or open Area or Space, is unclaimed, or the Owner thereof cannot be found, it shall be lawful for the Burgh Engineer to pull down, clear out, build up, or fence and secure the same, and to charge the Expense thereof against the Police Assessment; provided always, that any Expense so incurred, and paid out of the Police Assessment, shall be chargeable against and form a Burden upon the Buildings, Area, Cellar, or open Space in respect of which such Expense shall be incurred and paid, and shall be recoverable out of such Property, or from any Owner who may claim Right thereto, and it shall be competent to the Magistrates

Magistrates and Council at any Time thereafter to deal with such Building, Area, Cellar, or open Space as waste and ruinous, and to bring the same to Sale in manner herein-after provided with reference to ruinous Buildings.

Ruinous Buildings belonging to Two or more Owners may be sold.

90. If any Houses, Buildings, and other Tenements or Areas have become waste and ruinous within the Burgh, and have become Receptacles for Filth and other Nuisances, or unsafe and unfit for Use and Occupation, and which, being held by Two or more joint Owners, cannot be rebuilt or disposed of to Advantage without the Consent of all the Parties interested therein, and the same are allowed to continue in a waste and ruinous or unsafe State in consequence of the Parties being unable or unwilling or delaying to agree as to the Sale or rebuilding thereof, it shall be lawful to the Dean of Guild of the Burgh, or the Sheriff, according as such Houses, Buildings, and other Tenements or Areas shall be situated within their respective Jurisdictions, upon the Application by Petition of the Procurator Fiscal of their respective Courts, or of the Magistrates and Council, or the Burgh Engineer, or of any Owner or Party interested in any such Houses, Buildings, or other Tenements, to call all Parties interested therein before the said Dean of Guild or Sheriff in the usual Manner and Form followed in their respective Courts, and to order such Tenements or Areas to be valued by not less than Three Men of Skill, upon Oath, who shall distinguish the Portions of Tenement or Area, and the corresponding Proportion of the apprized Value, which belong to the several Parties interested, and thereupon to give each Party the Option to buy and acquire from or to sell and convey to the others their respective Portions of or Interests in such Tenements or Areas agreeably to such Valuation, or at such other Price as shall be agreed on amongst themselves, and that within a reasonable Time to be fixed by the said Dean of Guild or Sheriff, not exceeding Six Weeks.

How Sale to be carried through.

91. If any of the said Parties fail to take advantage of the said Option within the Time so fixed, or shall not be able to agree as to which shall be the Buyer and which the Seller, it shall be lawful to the said Dean of Guild or Sheriff respectively to cause such Tenements or Areas to be exposed to Sale by Public Auction at a Price not being less than the apprized Value, and in case of no Offerers to reduce the upset Price from Time to Time, and to sell the same to the highest Bidder, under such Regulations, and upon such Conditions, and after such public Notice by Advertisement in the Newspapers or otherwise, as the said Dean of Guild or Sheriff respectively shall appoint, and the Purchaser thereof shall be taken bound within Ten Days after the Sale, or within such Time as may be fixed by the said Dean of Guild or Sheriff respectively, to consign or deposit the whole Amount of the Purchase Money in any One of the Banks established by Act of Parliament or Royal Charter, upon a Receipt or Voucher subject to the Orders of the said Dean of Guild or Sheriff respectively, otherwise the Sale to be void and null, and the Money so deposited shall remain at Interest for the Behoof of all Parties interested therein, under the sole Control and subject to the future Orders of the Dean of Guild or Sheriff respectively.

Completion of Purchaser's Title.

92. Upon such Deposit being so made, the said Dean of Guild or Sheriff respectively shall pronounce his Decree or Warrant declaring the Purchase duly completed, and authorizing immediate Possession of the Tenements or Areas so sold to be given to the Purchaser thereof; and such Warrant or Decree shall, upon being registered in the Register of Sasines in which any of the prior Titles of such Subjects may have been registered, be a valid and sufficient Title to such Purchaser, who shall thereafter be at full Liberty to exercise every lawful Right of Property therein without being subject to Challenge by any Party whomsoever.

If Purchaser do not fulfil Conditions of Sale, may be re-sold.

93. In case the Purchaser at any such Sale as aforesaid shall fail to fulfil the Conditions thereof within the Time thereby prescribed, it shall be lawful to the Dean of Guild or Sheriff respectively to cause the Tenements or Areas to be re-exposed and sold anew; and such Sale shall be proceeded in in every respect in like Manner as is herein-before provided in regard to the first Sale; and the Dean of Guild or Sheriff respectively shall continue, in case of Failure as aforesaid, to cause the said Tenements to be re-exposed for Sale until the same shall be sold, and the Price thereof consigned or deposited in Bank as aforesaid.

Application of Price.

94. Upon the Completion of any such Sale, the Dean of Guild or Sheriff respectively, on the Application of any of the Parties concerned, shall, upon such legal Evidence, by Writing, Witnesses, Oath of Party, or Report of skilled Persons, upon Oath or otherwise, as he may deem expedient, proceed to ascertain and determine the Extent and Value of the Share of each Party claiming Interest in the Tenements or Areas so sold, and to apportion and divide the Price obtained for the same, and deposited as aforesaid, and order Payment thereof to the several Parties accordingly, subject always to such Finding or Order in respect of Costs as the Dean of Guild or Sheriff respectively may pronounce.

Ruinous Tenements may be sold.

95. If any Houses, Buildings, or other Tenements or Areas within the Burgh have become waste and ruinous, or have become Receptacles for Filth and other Nuisances, or unsafe and unfit for Use and Occupation, the Magistrates and Council may, by a Notice addressed to the Owner if his Address shall be known, or if not known by a Notice affixed to a conspicuous Part of such Houses, Buildings, or other Tenements or Areas, require the same to be rebuilt, or otherwise put into a State of Repair to their Satisfaction, within Three Months from the Date of such Notice; and in the event of such Requisition not being complied with, the Magistrates and Council may apply to the Dean of Guild of the Burgh, or the Sheriff, according as such Houses, Buildings, or other Tenements or Areas shall be situated within their respective Jurisdictions, for Warrant to sell such Houses, Buildings, or other Tenements or Areas, and it shall be lawful to the Dean of Guild or Sheriff to order the same to be valued, and exposed for Sale by Public Auction, and to sell the same: Provided always, that such Sale shall be made and carried out, or Re-sale effected, the Price deposited and applied, and the Purchaser's Title completed, in the Way and Manner herein-before directed with reference to waste and ruinous Buildings or Tenements or Areas within Burgh held by Two or more joint Owners.

II.—*Nuisances and Obstructions in the Streets.*

Power to prevent Obstructions in the Streets during public Processions, &c.

96. The Magistrates may from Time to Time make Orders for sanctioning public Processions when they think fit, and for prescribing the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets of the Burgh, public or private, in all Times of public Processions, Rejoicings, or Illuminations, and for regulating such Processions, and the Bands of Music accompanying the same, and in any Case when such Streets are thronged or liable to be obstructed, and may also make Orders for keeping Order and preventing any Obstruction of such Streets in the Neighbourhood of Theatres and other Places of public Resort; and every wilful Breach of any such Order shall be deemed an Offence against the Provisions hereof, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

Power to impound stray Cattle.

97. If any Cattle be at any Time found at large in the Burgh without any Person having the Charge thereof, any Constable or Officer of Police may seize and impound such Cattle, and the Owner thereof shall be liable to a Penalty not exceeding

exceeding Forty Shillings, besides the reasonable Expenses of impounding and keeping such Cattle.

Power to sell stray Cattle for Penalty and Expenses.

98. If the said Expenses be not paid within Three Days after such impounding, the Person appointed by the Magistrates and Council for that Purpose may proceed to sell such Cattle, or cause the same to be sold; but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle, if he be known, or if not, then Notice of such intended Sale shall be given by Advertisement to be inserted Seven Days before such Sale in some Newspaper published or circulated within the Burgh; and the Money arising from such Sale, after deducting the Expenses aforesaid, and all other Expenses attending the impounding, advertising, keeping, and Sale of any such Cattle so impounded, shall be paid to the Magistrates and Council, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

Penalty on Persons committing any of the Offences herein named.

99. Every Person who in or near any Street or Court commits any of the following Offences shall, on Conviction on the Evidence of One or more credible Witnesses, be liable to a Penalty not exceeding Forty Shillings for each Offence:

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal; or exhibits in a Caravan or otherwise any Show or public Entertainment; or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident); or cleans, dresses, exercises, trains, or breaks or turns loose any Horse or Animal; or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Every Person who allows any Bull or other dangerous Animal to be in any Street or Court without being secured by means of a Rope attached to a Ring though the Nose of such Animal, or otherwise:

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal:

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Grounds for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State:

Every Person who, after public Notice given by any Sheriff or Magistrate directing Dogs to be confined on account of Suspicion of Canine Madness, suffers any Dog to be at large during the Time specified in such Notice:

Every Person who slaughters or dresses any Cattle or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot:

Every Person having the Care of any Cart or Carriage who rides on the Shafts thereof, or otherwise than on the Forepart of such Cart or Carriage, and in such a Position as readily to see immediately before and on either Side thereof; or who, without having Reins with a Bit attached thereto, and in the Mouth of the Animal drawing the same, and holding such Reins, rides upon such Cart or Carriage, or any Animal drawing the same, or who is at such a Distance from such Cart or Carriage, or in such a Position therein, as not to have due Control over every Animal drawing the same; or who does not, in meeting any other Carriage, keep his Cart or Carriage to the Left or Near Side, or who in passing any other Cart or Carriage does not

keep

keep his Cart or Carriage on the Right or Off Side of the Road (except in Cases of actual Necessity, or some sufficient Reason for Deviation); or who, by obstructing any such Street, wilfully prevents any Person or Carriage from passing him, or any Cart or Carriage under his Care:

Every Person who at One Time drives more than Two Carts; and every Person driving Two Carts who has not the Halter of the Horse in the last Cart securely fastened to the Back of the First Cart, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet:

Every Person who drives furiously any Cattle:

Every Person who causes any Cart, Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Draught or Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any Place appointed for that Purpose by the Magistrates or other lawful Authority); and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare:

Every Person who causes any Tree or Timber, Iron Beam, Stone, or other Thing to be drawn or hauled otherwise than upon a wheeled Cart or Carriage, or who causes any Tree or Timber, Iron Beam, Stone, or other Thing to be drawn in or upon any Cart or Carriage without having sufficient Means of safely guiding the same:

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart, Carriage, Sledge, Truck, or Barrow, upon any Footway, or fastens any Horse or other Animal so that it stands across or upon any Footway:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing Place, Stool, Bench, Stall, or Showboard, on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over or along any Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground:

Every Person who carries about on any Cart or Carriage or on Horseback any Picture, Placard, Notice, or other Advertisement, whether written, printed, or painted upon, or posted or attached to, any Part of such Cart, Carriage, or on any Board or otherwise:

Every Person who places, hangs up, or exposes to Sale any Goods, Wares, Merchandise, Matter, or Thing whatsoever so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed:

Every Person who hangs or places any Linen or Clothes or other such Article on any Rail or Fence of any Premises:

Every Person who writes upon, soils, defaces, or marks any Wall, Fence, Hoarding, or Building with Chalk or Paint or in any other Way, or who without Authority affixes or causes to be affixed to any Church, Chapel, or Schoolhouse, or without the Consent of the Owner or Occupier to any other Building, or to any Wall, Fence, or Hoarding, any Bill or other Notice, or who wilfully breaks, destroys, or damages any Part of such Wall, Fence, Hoarding, or Building, or any Tree, Shrub, Seat, or other Thing:

Every

Every Person who conveys in any open Cart or otherwise the Carcases, or any Parts thereof, of Animals slaughtered for Sale, without the same being properly covered up from public View with clean Cloths, or such other Coverings as the Magistrates and Council may from Time to Time prescribe; or exposes such slaughtered Carcases, or any Parts thereof, or their Skins or Offals, outside of the Doors or Windows of any Shop; or uses Machines to mince or hash such Animal Food to the Annoyance of any of the Inhabitants in the Neighbourhood:

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, Log of Wood, Basket, Board, or Tray, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every Person who places any Line, Cord, or Pole across, upon, or over any Part of any Street or Court, or hangs or places any Clothes thereon, or on the Outside of any Window fronting any Street or Court:

Every Person who commits any Nuisance:

Every Person who discharges any Firearm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework:

Every Person who wilfully and wantonly disturbs any Inhabitant by pulling or ringing any Door Bell or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp:

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow:

Every Person who persists in going upon the Ice at Duddingston, Dunsappie, St. Margaret's, or other Lochs or Ponds at any Time when Placards are exhibited, or other Signals are shown, intimating that it is in a dangerous State; and every Person who goes inside of the Ropes or Danger Signals placed at any Part of the said Lochs or Ponds:

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime:

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so enclosed as to prevent Mischief to Passengers):

Every Person who beats or shakes any Carpet, Rug, or Mat (except Rugs or Mats shaken before the Hour of Eight in the Morning):

Every Person who fixes or places any Flower Pot or Box or other heavy Article in any upper Window without sufficiently guarding the same against being blown down:

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger:

Every Occupier of any House or other Building, or other Person, who orders or permits any Person in his Service to stand on the Sill of any Window in order to clean, paint, or perform any other Operation upon the Outside of such Window, or upon any House or other Building, unless such Window be in the sunk or Basement Storey:

Every Person who discharges any Smoke or Steam from any Premises (otherwise than from the Top thereof), or suffers or permits the condensed Water or Moisture from any Steam Pipe, Flue, or Funnel to fall into or upon any Street or Court:

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street or Court to any Cellar or Room underground, without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto:

Every Person who throws or lays any Dirt, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, Slops, or dirty Water, on any Street, back Area, Court, or Place within the Burgh, or causes or allows any Matter, solid or liquid, to fall or run on any Street or Court: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street or Court in Time of Frost to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases:

Provided always, that if any Rubbish, Lead, Iron, Wood, Goods, Commodities, or other Article, Matter, or Thing whatever shall be placed or allowed to remain in any Street or Court, it shall be lawful for and in the Power of the Superintendent or other Constable of Police to remove or cause the same to be immediately removed and carried to any Place of Safety, there to remain, at the Risk of the Owner and Person offending, and to detain the same until the Expense of Removal and Detention are paid; and if such Expense shall not be paid within Seven Days, the Judge may give Directions to sell or dispose of the same, and apply the Proceeds to the same Purposes as the Police Assessment.

100. Every Person who in or near any Street or Court commits any of the following Offences shall, on Conviction on the Evidence of One or more credible Witnesses, be liable to a Penalty not exceeding Five Pounds for each Offence, or, in the Discretion of the Judge of Police before whom he is convicted, may, without a Penalty being inflicted, be committed to Prison, there to remain for a Period not exceeding Sixty Days; (that is to say,)

Every Person who rides or drives furiously, recklessly, or carelessly any Horse, Carriage, Cart, or other Vehicle:

Every Common Prostitute or Nightwalker who loiters or importunes Passengers for the Purpose of Prostitution:

Every Person who wilfully and indecently exposes his Person:

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, Photograph, or other Representation:

Every Person who sings any profane or obscene Song, or uses any obscene, profane, or indecent Language.

Owners of Carts, &c. to have Names painted thereon.

101 The Owner of every Cart or Carriage used for the Conveyance of Goods, or plying for Hire, shall have his Christian Name, Surname, and Place of Abode painted in a straight Line or Lines horizontally upon some conspicuous Part on the Off or Right Side of such Cart, or Carriage, in large legible Roman Letters, either of a dark Colour upon a light Ground, or of a light Colour upon a dark Ground, not less than One Inch in Height, with Numbers, beginning with Number One where more of such Carts or Carriages respectively than One shall belong to the same Owner, and proceeding in regular Progression, failing which such Owner shall be liable to a Penalty not exceeding Forty Shillings for every Time such Cart or Carriage shall be found in any Street or Court.

Persons under 14 Years of Age not to drive Carts, &c.

102. The Owner of any Cart or Carriage who shall cause or permit such Cart or Carriage to be driven in any Street or Court by any Person who is not of the full Age of Fourteen Years, and every Person who in any Street or Court shall put a Cart or Carriage, and the Animal drawing the same, temporarily under the Charge or Care of a Person who is not of the full Age of Fourteen Years, shall be liable to a Penalty not exceeding Forty Shillings.

Power to regulate Shows, &c.

103. It shall be lawful for the Magistrates to restrain, regulate, or prohibit all public Shows, Exhibitions, or Representations, and the Use of Apartments in Common Tenements or of any Booth for Dancing, on any Occasion, at any Time which shall appear necessary for preserving Order and Decorum, and to make and establish Regulations and Prohibitions to that Effect; and if any Person shall open, or be concerned in opening, any public Show, Exhibition, Representation, or any Booth for Dancing without the Sanction or Permission of the Magistrates, or shall contravene any such Regulation or Prohibition, such Person shall for every such Offence forfeit a Penalty not exceeding Five Pounds.

III.—*Prevention of Fraud.*

Regulations may be made for preventing Fraud in the Weight of Hay, Straw, &c.

104. In order to prevent Fraud in the Weight of Hay and Straw or other Commodities usually weighed in Carts, it shall be lawful for the Magistrates and Council to make Regulations for ascertaining the Weight or Quantity of Hay or Straw or other Commodities brought within the Burgh, upon Parties voluntarily resorting to the said Weighing Machines for the Purpose, and for a Magistrate or Judge of Police to punish Persons disobeying such Regulations, by seizing, forfeiting, and selling such Hay and Straw and other Commodities so brought in contravention of such Regulations, or by imposing on the Offender a Penalty to the Extent and in the Manner before prescribed in respect of Coals which have not been duly weighed.

Power to try Weight of Butter, &c. made up in Parcels, and to seize and confiscate if found deficient.

105. And for the Purpose of preventing Fraud in the Sale of Butter, Bread, and other Articles made up in Parcels or Quantities representing a Pound or Half Pound, or other larger or smaller specific Weight, it shall be lawful for the Superintendent, Lieutenants, or Inspectors of Police at any Time, or for any Police Constable on the Warrant of a Magistrate or Judge of Police, to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles brought within the Burgh for Sale, or sold or exposed or kept for Sale in any Shop, Store, or other Premises, or any Market Place within the Burgh, and for that Purpose to enter any such Shop, Store, or other Premises within the Burgh; and if upon any such Trial or Examination any Parcel or Quantity shall be found light or deficient in Weight, it shall be lawful to seize the same, and to require the Person possessed thereof to appear before a Magistrate or Judge of Police, and in the event of Refusal, and such Person not being known as a Householder or Store or Shop Keeper within the said Limits, to convey such Person before a Magistrate or Judge of Police, or to the Police Office, for Examination; and it shall be lawful for the Magistrate or Judge of Police, on finding that any Parcel or Quantity of Butter, Bread, or other Article so seized is light or deficient and was so at the Time of Seizure, to declare the same forfeited, and to send the same to any charitable Institution, and to fine the Person in whose Possession it has been found in a Sum not exceeding Forty Shillings for every Parcel or Quantity intended to represent a specific Weight found deficient.

Penalty on committing Frauds in Weight of Bread.

106. All Bakers and Dealers in Bread shall, on all Bread made or exposed by them for Sale (except Fancy Bread or Rolls), impress thereon, in large and distinct Figures, the Imperial Weight of such Bread; and any Person who shall expose or offer for Sale or sell any Bread not so impressed shall be liable in a Penalty

Penalty not exceeding Forty Shillings for each Offence; and any Person who shall sell, or offer or expose for Sale, any Bread which shall be deficient or under the Weight so impressed, shall be liable in a Penalty not exceeding Forty Shillings for each Offence.

Magistrates to have Powers conferred upon Justices by 22 G. 2. c. 27. and 17 G. 3. c. 56.

107. And for the further Prevention of Fraud the Magistrates shall have and may exercise the Powers and Jurisdictions conferred upon any Justice or Justices of the Peace by the Act of the Twenty-second George the Second, Chapter Twenty-seven, intituled "An Act for the more effectual preventing of "Frauds and Abuses committed by Persons employed in the Manufacture "of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, "Hemp, Flax, Mohair, and Silk Manufactures, and for preventing unlawful "Combinations of Journeymen Dyers and Journeymen Hotpressers, and of "Persons employed in the said several Manufactures, and for the better Pay-"ment of their Wages;" and by the Act of the Seventeenth George the Third, Chapter Fifty-six, intituled "An Act for amending and rendering more effectual "the several Laws now in being for the more effectual preventing of Frauds "and Abuses by Persons employed in the Manufacture of Hats, and in the "Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, "and Silk Manufactures, and also for making Provisions to prevent Frauds by "Journeymen Dyers;" and the Provisions of the said Acts shall apply to Proceedings before the Magistrates, and to Acts done by them in relation thereto, in the same Manner as to Proceedings before and Acts done by any Justice or Justices of the Peace; and upon an Oath or solemn Affirmation or Declaration being made before the Magistrates or any Justice or Justices of the Peace that there is Cause to suspect that any Material purchased or received by any Broker from any Person or Persons were purloined or embezzled, the Magistrates or any Justice or Justices of the Peace may grant Warrant for bringing the Person or Persons from whom the Broker purchased or received such Materials before him or them; and if such Persons or Person shall not give a satisfactory Account of how he, she, or they came by such Materials, such Person or Persons shall be deemed guilty of a Misdemeanor or Offence, and shall be punishable accordingly, in Terms of the said Two last-recited Acts, in the same Manner as if such Materials had been found in the Possession of such Person or Persons; and it shall be competent to the Magistrates, or to any Two Justices of the Peace, to sentence such Person or Persons to pay any Fine not exceeding the Amounts authorized by said Acts, or alternatively to commit such Person or Persons to Prison for any Period not exceeding the Periods authorized by the said Acts; and it shall not be necessary before committing such Person or Persons to Prison to levy such Fines by Distress and Sale, or to use any legal Diligence for Recovery thereof.

Penalty for Want of Cleanliness in Meat and Provision Shops.

108. Every Occupier of any Premises used for the Sale of Butcher Meat, Poultry, Game, Fish, Butter, Meal, Bread, or any other Article of Food, who does not keep the same clean and in good Condition to the Satisfaction of the Superintendent of Police, Inspector of Lighting and Cleaning, or other Person appointed by the Magistrates and Council for that Purpose, shall be liable to a Penalty not exceeding Twenty Shillings.

IV.—*Carriages, Omnibuses, &c.*

Regulations as to Omnibuses or Carriages plying within Burgh.

109. The Magistrates shall be empowered, and they are hereby authorized, to prevent within the Limits of their Jurisdiction the plying or running of Omnibuses or other Carriages for the Conveyance of Passengers which shall be in a State of Dis-repair or Insecurity, or not adapted in all other respects for the Conveyance

Conveyance of Passengers with Safety and Comfort, or drawn by Horses not sufficiently strong or in good Condition, or not sufficiently trained or broken in, and that by imposing Penalties not exceeding for each Offence Five Pounds on the Owners or Contractors or Drivers of such Omnibuses or other Carriages which shall be found by the Magistrate or Judge of Police before whom the same may be brought to be in an unsafe or unfit State for the Conveyance of Passengers, or not drawn as aforesaid; and the Magistrates are further empowered to make Byelaws for regulating the Number of Passengers to be carried by and Times of running of such Omnibuses or other Carriages, the Places at which the same shall stand, the Times at which the same shall start, and all other Matters tending to promote Regularity and public Convenience, and may vary and alter the same from Time to Time, and may enforce the same against the Proprietors or Conductors or Drivers of such Omnibuses and other Carriages in like Manner and under a like Penalty.

V.—*Brokers and Pawnbrokers.*

Pawnbrokers not to act as Brokers, and Brokers not to take Articles in Pledge.

110. If any Pawnbroker shall act as a Broker, except in the Sale of Articles bonâ fide forfeited in accordance with the Provisions of the Pawnbrokers Act, or if any Broker shall receive or take any Goods or Articles in Pledge, such Pawnbroker or Broker shall, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Brokers transacting Business between certain Hours.

111. It shall not be lawful for any Broker to sell to or purchase from or have any Business Transaction whatsoever with any Person between the Hours of Ten o'Clock of each Saturday Night and Nine o'Clock in the Morning of the following Monday, or between Ten o'Clock in any other Night and Eight o'Clock on the following Morning; and if any Broker shall offend herein, either by himself or his Servant or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall, on being convicted thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Pawnbrokers not to keep Smelting Pots.

112. Every Pawnbroker or Broker who shall keep or suffer to be in his Premises any Smelting Pot or Implement for melting, altering, or defacing Gold, Silver, Lead, or other Metals shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and such Smelting Pot or Implement shall be forfeited.

VI.—*Articles found.*

Goods or Money found to be reported at Police Office, and Penalty if appropriated by Party finding.

113. All Goods, Money, or other Articles found within the Burgh, and for which at the Time the same are found no Owner may be known, shall be reported at the Police Office by the Person finding the same; and if any Person who shall find such Goods, Money, or Articles as aforesaid shall take possession thereof, and shall fail to report the same as aforesaid within Forty-eight Hours after such Possession, he shall be deemed guilty of an Offence, and be liable to a Penalty not exceeding Five Pounds; and if any Person who shall find such Goods, Money, or other Articles shall take possession thereof and shall apply the same to his own Use, he shall be deemed guilty of a higher Offence, and be liable to a Penalty not exceeding Ten Pounds, besides restoring the same to the Owner thereof: Provided always, that if within Six Months, or in the Case of perishable Articles within One Month, no Owner shall claim the same, it shall be lawful for the Judge to grant Warrant for the Sale or Disposal of such Goods, Money, or other Articles, the Proceeds of which, after deducting Expenses, and any Reward to the Finder which the Judge may allow, shall be paid to the Magistrates

Magistrates and Council, and be applied to the same Purposes as the Police Assessment, and shall be by them paid to the Owner if he shall afterwards appear and claim the same.

VII.—*Suppression of Vagrants.*

Vagrants, Beggars, &c. to be apprehended, and, upon Conviction, imprisoned.

114. It shall be lawful for any Constable to apprehend all Persons found begging, or exposing Wounds or Deformities, or exposing Children of tender Age to the Inclemency of the Weather, or causing Children to sing in Streets or public Thoroughfares, or placing themselves or otherwise acting so as to induce or for the Purpose of inducing the giving of Alms, and all Persons conducting themselves as Vagrants, having no fixed Place of Residence and no lawful Means of gaining their Livelihood, and all Persons who after having been convicted of Vagrancy, or of Housebreaking or Theft, are found in possession of any Picklock, Key, Crow, Jack, Bit, or other Implement usually employed in Housebreaking, or who, although not previously so convicted, are found in possession of any such Implement, or of any lethal Weapon, or in any Building or Part of a Building or other enclosed Space for any unlawful Purpose, or who, after having been convicted of Housebreaking or Theft, are found in any Street or other Place or with Intent to commit any Offence, or in possession of any Article without being able to give a satisfactory Account of their Possession thereof; and such Persons upon Conviction shall be liable to be imprisoned for any Period not exceeding Thirty Days, and for a Second or any subsequent Offence to Imprisonment for a Period not exceeding Sixty Days; and if any Money or Article be found upon their Persons such Money or Article may be forfeited, and applied to the same Purposes as the Police Assessment.

VIII.—*Places of public Resort and disorderly Houses.*

Penalty for harbouring disorderly Persons.

115. Every Person who shall permit any Breach of the Peace or riotous or disorderly Conduct within any Shop, Cellar, Room, Place of public Resort, House, Office, or other Premises occupied or kept by him, or shall knowingly harbour Prostitutes, or permit or suffer Men or Women of notoriously bad Fame, or dissolute Boys or Girls, to meet or assemble therein, or shall knowingly lodge, entertain, or harbour, to the Annoyance of any of the Inhabitants in the Neighbourhood, any Prostitute or idle Rogue or Vagabond, such Person so offending shall for every such Offence be liable in a Penalty not exceeding Ten Pounds: Provided always, that if any Person shall be found guilty of any such Offence a Second Time, it shall be lawful for the Judge of Police, on the Application of Three Householders, or of the Procurator Fiscal, to eject and remove such Person summarily from the Premises possessed, occupied, or kept by him, and to impose such further Penalty on such Offender, not exceeding Twenty Pounds with Expenses, as to the Judge may seem fit.

Officers may enter Public Houses on hearing disorderly Noise therein.

116. Any Constable shall have Power by virtue of his Office at any Time to enter any Building or Part of a Building or other Place of the following Description on hearing any disorderly Noise therein, or having Reason to believe or suspect that Persons accused or reasonably suspected of having committed any Offence, or that any Articles known or suspected to have been stolen or fraudulently obtained, are to be found therein; viz.,

Any Place used for the Purpose of Stage Plays or Dramatic Entertainments, or for any public Show or Exhibition:

Any Singing or Dancing Saloon, Oyster Store, Fish Shop, Eating House, Coffee House, or such other Place:

Any Victualling House, Public House, or House in which Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors are sold, or suspected to be sold, whether licensed or not:

Any common Brothel or House for the Reception of Prostitutes, or any House usually frequented by Thieves or loose and disorderly Persons:

Any Building or Part of a Building which is kept or used for a Purpose in respect of which a Licence is required by the Provisions of this Act:

And if the Keeper of any such Building or Part of a Building or other Place, or any Servant or other Person having the Charge thereof, shall not admit such Constable when required, such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on Persons keeping Places for baiting Animals, and on Persons found therein.

117. Every Person who within the Burgh keeps or uses or acts in the Management of any House, Room, Pit, or other Place for the Purpose of fighting, baiting, or worrying any Animals shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Judge of Police before whom he is convicted, to Imprisonment with or without Hard Labour for a Time not exceeding One Month without any Penalty being imposed; and the Judge may, by Order in Writing, authorize the Superintendent of Police, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings; and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequences to which he is liable for the Nuisance thereby occasioned.

Power to Superintendent, &c. to enter Gaming Houses and seize Implements of Gaming.

Penalties.

118. It shall be lawful for any Constable having good Grounds for believing that any House, Room, or Place is kept or used as a Gaming House to enter such House, Room, or Place and to take into Custody all Persons who shall be found therein, and to seize all Tables for and Instruments of Gaming found in such House, Room, or Place, and all Monies and Securities for Money found therein; and the Owner or Keeper of such Gaming House, or other Person having the Care or Management thereof, and also any Person who shall act in any Manner in conducting such Gaming, shall be liable in a Penalty not exceeding Fifty Pounds; and upon Conviction of any such Offender all such Tables and Instruments of Gaming shall be destroyed, and all the Monies and Securities for Money which shall have been seized as aforesaid shall be paid over to the Collector of Police, and applied in the same Way and Manner as Penalties by this Act are directed to be applied; and every Person found within such Premises without lawful Excuse shall be liable in a Penalty not exceeding Ten Pounds.

Proof of Gaming for Money not necessary in support of Prosecution.

119. It shall not be necessary in support of any Prosecution under the Provisions hereof for Gaming in or suffering any Game or Gaming in such Gaming House, or for keeping or using or being concerned in the Management or Conduct of such House, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake.

IX.—*Clocks.*

Power to Magistrates and Council to provide public Clocks.

120. The Magistrates and Council may from Time to Time, as they shall see fit, provide such Clocks as they consider necessary, and cause them to be fixed upon or against any public Building, or, with the Consent of the Owner or Occupier, upon or against any private Building, the Situation of which may be convenient for that Purpose, and may cause the Dials thereof to be lighted at Night,

Night, and from Time to Time alter and remove any such Clocks to such other like Situation as they shall consider expedient, and all Expenses so incurred by them shall be charged against the Police Assessment.

X.—*Fires.*

Penalty for wilfully setting Chimneys on Fire.

121. Every Person who wilfully sets or causes to be set on fire any Chimney within the Burgh shall be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall exempt the Person so setting or causing to be set on fire any Chimney from Liability to be indicted or prosecuted therefor before any Criminal Court.

XI.—*Ventilation and Cleansing.*

Regulating Construction of Buildings intended as Places for Public Meetings.

No Person to begin to build until Plan has been approved of by Magistrates and Council.

122. Before beginning to build any Building intended to be used as a School, or a Place of public Amusement or Entertainment, or for holding large Numbers of People for any Purpose whatsoever within the Burgh, the Person intending to build the same shall give Thirty Days Notice in Writing to the Magistrates and Council, and shall accompany such Notice with a Plan and Description of the Manner proposed for its Construction with respect to the Means of supplying fresh Air to or proper Access to and Exits from such Building; and no Person shall begin to build such Building until the Manner proposed for its Construction with respect to the Means for supplying fresh Air, and proper Accesses and Exits as aforesaid, has been approved of by the Magistrates and Council; and in default of sending such Notice, or if any such Building be erected without such Approval, the Magistrates and Council may cause such Building, or such Part of it as they consider necessary, to be pulled down or altered at the Expense of the Owner, and any Expense incurred by the Magistrates and Council in so doing may be recovered as herein-before provided with respect to ruinous or dangerous Buildings taken down or repaired by the Magistrates and Council; and with regard to such existing Buildings as are at the passing of the Act confirming this Provisional Order or may thereafter be used for any of the said Purposes, the Magistrates and Council may cause the same to be inspected, and may direct such Means to be taken for their proper Ventilation, or for the providing of proper Means of Access and Exit, as to them shall seem fit.

If Magistrates and Council fail to signify their Approval or Disapproval of Plan within 7 Days, Party may proceed to build.

123. Provided always, if the Magistrates and Council fail to signify in Writing their Approval or Disapproval of the Manner of Construction of any new Building with respect to the Means of supplying fresh Air, and of providing proper Accesses and Exits, shown on such Plan and Description as aforesaid, within Seven Days after receiving such Notice accompanied by such Plan and Description, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build the Building therein referred to in the Manner shown on such Plan and Description, provided that such Building be otherwise in accordance with the Provisions hereof.

Persons may appeal against Determination of Commissioners.

124. Provided also, if the Owner or other Person so intending to build or the Owner of any existing Building be dissatisfied with the Determination of the Magistrates and Council as to the said proposed Manner of Construction, he shall have the same Right of Appeal against the Determination of the Magistrates and Council, and such Appeal shall be conducted in the same Manner herein provided in the Case of Appeals against any Order of the Magistrates and Council with respect to Works to be constructed by or subject to the Approval of the Magistrates and Council.

125. The

Common Stairs to be ventilated and Houses let for short Periods to be cleansed.

125. The Owners of all Common Stairs and Common Passages shall have the same provided with proper Means of Ventilation to the Satisfaction of the Burgh Engineer or Inspector of Cleansing, and shall whitewash or paint the same as often as required to do so by the Burgh Engineer or Inspector of Cleansing, and the Owners of all Premises occupied as Dwelling Houses let for shorter Periods than Six Months shall whitewash and properly cleanse such Premises, and every Part and Pertinent thereof, to the Satisfaction of the Inspector of Cleansing, at least once in the Year, or oftener if required by the Inspector of Cleansing, and any such Owner failing to do so after receiving Forty-eight Hours Notice from the Inspector of Cleansing shall be liable to a Penalty not exceeding Forty Shillings.

Dwelling Houses, &c. may be inspected and cleansed at Expense of Owners.

126. It shall and may be lawful, at all reasonable Times, for the Medical Officer, Burgh Engineer, or Inspector of Cleansing to enter all Dwelling Houses and other Premises and their Pertinents where he has Reason to believe that they are not in a cleanly Condition, or have an Accumulation of Filth therein, and to cause the same to be cleansed and purified and such Filth to be removed therefrom at the Expense of the Owner of such Dwelling Houses and other Premises, reserving to the said Owner his Recourse against the Occupier thereof if such Accumulation of Filth shall have been caused or suffered to remain by such Occupier: Provided always, that if the Owner or Occupier of any such Dwelling House or other Premises shall object to the Entrance of such Medical Officer, Burgh Engineer, or Inspector as aforesaid, it shall not be lawful for such Medical Officer, Burgh Engineer, or Inspector to enter without a Warrant from a Magistrate or Judge of Police authorizing him so to do.

Offensive Substances.

127. All Persons dealing in Rags, Bones, and other offensive Substances shall at all Times be bound to keep their Premises in which such Articles are kept in a cleanly State, to the Satisfaction of the Medical Officer or Inspector of Cleansing, and to fumigate such Premises with Chloride of Lime or other purifying Matter for removing offensive Smells at least Three Times a Week at the Sight of such Medical Officer or Inspector, or of any Person acting under them, and Access shall at all reasonable Times be given to such Medical Officer or Inspector, or any Constable or other Person acting under them, for such Purpose; and any Person failing therein or refusing Access as aforesaid shall, on Conviction before any Judge of Police on the Testimony of One credible Witness or other legal Evidence, forfeit a Sum not exceeding Two Pounds for each Offence; and if it shall be established before any Judge of Police, on the Testimony of the Medical Officer of Health, or other Medical Practitioner, or other Evidence, that the collecting or keeping of Bones or Rags or other Substances in the Vicinity of any Dwelling House, Shop, or other Place is prejudicial to the Health or Comfort of Persons residing or employed therein, it shall be lawful for such Judge to order such Rags, Bones, or other Substances to be removed within such Time as he may see proper, and to prohibit such collecting or keeping in future, under a Penalty not exceeding Five Pounds.

Powers and Remedies.

I.—*Byelaws to be made.*

Byelaws.

128. The Magistrates and Council may from Time to Time make such Byelaws as they think fit for the several Purposes for which they are hereby, or by "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," "The Edinburgh Municipality Extension Act, 1856," or by any other Act, Local or General, in operation within the Burgh, empowered to make Byelaws, and

and from Time to Time repeal, alter, or amend any such Byelaws, provided such Byelaws be not repugnant with the Law of Scotland, or the Provisions hereof, or of the several Acts before recited or referred to, and be reduced into Writing, and have affixed thereto the Signatures of Two of the Magistrates and the Clerk, and, if affecting other Persons than the Officers or Servants of the Magistrates and Council, be confirmed and published as herein provided.

Byelaws may be enforced by Imposition of Penalties.

129. The Magistrates and Council, by the Byelaws so to be made by them, may impose such reasonable Penalties as they think fit, not exceeding Forty Shillings for each Breach of such Byelaws; and in the Case of a continuing Violation of such Byelaws, the Sum of Five Shillings for every Day during which such Violation shall be continued: Provided always, that such Byelaws be so framed as to allow the Magistrate or Judge of Police before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty.

Byelaws to be confirmed.

130. No Byelaw made by the Magistrates and Council under the Authority hereof, or of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," "The Edinburgh Municipality Extension Act, 1856," or any other Act, Local or General, in operation within the Burgh, except such as relate solely to the said Magistrates and Council, or to their Officers or Servants, appointed in pursuance of the said recited Acts, shall come into operation until the same be confirmed by the Sheriff and authenticated by his Signature; and it shall be incumbent on the Sheriff, on the Request of the Magistrates and Council, to inquire into any Byelaws tendered to him for that Purpose, and to allow or disallow the same as he may think meet; and in the event of its being at any Time deemed expedient by the Magistrates and Council to alter, amend, or repeal any such Byelaw, it shall be incumbent on the Sheriff as aforesaid to inquire into and allow or disallow the same as he shall think meet.

Notice of Confirmation to be given.

131. No such Byelaws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Burgh One Month at least before the Hearing of such Application; and any Person desiring to object to any such Byelaw, on giving to the Magistrates and Council Notice of the Nature of his Objection Ten Days before the Hearing of the Application for the Allowance thereof, may, by himself or his Counsel or Agent, be heard thereon, but not so as to allow more than One objecting Party to be heard on the same Matter of Objection without Leave of the Sheriff.

A Copy of proposed Byelaws to be open to Inspection.

132. For One Month at least previous to any such Application for Confirmation of any Byelaw a Copy of the proposed Byelaws shall be kept at the Office of the Clerk, and all Persons may at all reasonable Times inspect such Copy without Fee or Reward; and the Magistrates and Council shall furnish every Person who applies for the same with a Copy thereof, written or printed, or of any Part thereof, on Payment of Sixpence for every One hundred Words so furnished.

Publication of Byelaws.

133. Such Byelaws, when confirmed, shall be printed; and the Clerk shall deliver a printed Copy thereof to every Person applying for the same at a Charge not exceeding One Penny; and a Copy thereof shall be painted or printed or placed on Boards, which shall be hung up on the Front or in some conspicuous Part of the Police Office or City Chambers, and also on some conspicuous Part of the Works or Locality to which the same relate, for a Period of not less than Three Months after the Date of such Confirmation; and any such Clerk who does not allow the same to be inspected at all reasonable

Times shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Byelaws to be binding on all Parties.

134. Such Byelaws, when so confirmed and published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of Byelaws.

135. The Production of a written or printed Copy of the Byelaws as confirmed by the Sheriff, certified by the Clerk, and a written or printed Copy of the Byelaws not requiring such Confirmation, authenticated by the Signature of the Clerk, shall be Evidence of the Existence and of the due making of such Byelaws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof, it shall be sufficient to prove that a Board containing a Copy thereof was affixed and continued in the Manner by this Act directed, and in case of its being afterwards displaced or damaged that such Beard was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of the Byelaw under which he is prosecuted, or that it was not duly affixed or continued as herein required.

Penalty on pulling down Boards.

136. Any Person who destroys, pulls down, injures, or defaces any Board put up in Terms hereof on which any Byelaw of the Magistrates and Council is painted or placed shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

II.—*Borrowing of Money.*

Power to Magistrates and Council to borrow Money for the Purposes of this Act.

137. It shall be lawful for the Magistrates and Council to borrow and take up for any of the Purposes hereof, or of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," other than the Construction, Alteration, Ventilation, or Maintenance of Sewers as herein-before provided, or for Repayment of any Monies borrowed for such Purposes which shall have fallen due to the Lenders thereof, such Sum or Sums and at such Time or Times as the Magistrates and Council shall deem necessary for such Purposes: Provided always, that in all Cases where it shall be necessary to borrow any Sum or Sums for the said Purposes (in excess of the Sum of 20,000*l.* Sterling as herein-after specially provided), it shall be lawful for the Magistrates and Council, and they are hereby authorized and required, at their First Annual Meeting for Assessment after such borrowing, if the respective Rates of Assessment then leviable do not amount to the respective maximum Rates hereby authorized, to assess all Owners or Occupiers of Premises within the Burgh respectively liable in the several Assessments hereby authorized in such additional Assessments beyond the Sums necessary for such respective Purposes as will produce a Fund of not less than Five per Centum per Annum upon the Sum or Sums so borrowed respectively, and also the annual Interest of such borrowed Sum or Sums, which Fund of not less than Five per Centum per Annum the Magistrates and Council shall annually appropriate, set apart, and invest, at the highest Rate of Interest which can be had for the same, in the Public Funds, or in any chartered or other Bank, or on heritable Security, as a Sinking Fund, applicable and to be applied by the Magistrates and Council from Time to Time to the Repayment of the Monies borrowed until the respective Debts shall be extinguished: Provided always, that such additional Assessment shall at no Time increase the whole Assessment leviable beyond the maximum Rates of Assessment (when a maximum Rate is fixed), as the Case may be allowed hereby; and provided also, that no Sum of Money shall be borrowed in excess of the said Sum of 20,000*l.* until an Estimate

of

of the Amount required shall have been laid before the Magistrates and Council, or until the Expiration of Six Weeks after public Notice shall have been given by the Magistrates and Council of the Amount so proposed to be borrowed, and the Purpose to which the borrowed Money is to be applied, in all the daily Newspapers published within the Burgh; and provided further, that the Proposal to borrow shall be disposed of at the next Meeting of the Magistrates and Council Six Weeks after such public Notice, and shall require an absolute Majority of the whole of the Magistrates and Council, and that the Sum borrowed shall not exceed the Amount so advertised, without a further Estimate and Notice in manner above provided: Provided always, that in order to raise such Money as may be necessary to carry on the Purposes hereof, and of the several Acts before recited, until the several Assessments authorized hereby and by the said Acts are levied and collected, the Magistrates and Council may borrow on the Security of the said Assessments, in such Way and Manner as they may consider most expedient, a Sum or Sums of Money not exceeding in whole the Sum of 20,000*l.*, and may authorize the Treasurer or Collector to grant Bills or Bonds or obtain Cash Credits for the same, or make Overdrafts on their Accounts with their Banker or Bankers to that Extent, and, if necessary, to grant to the Party from whom such Money may be borrowed Assignations to the said Assessments, until the Sum or Sums so to be borrowed and Interest thereon shall be repaid and discharged.

Magistrates and Council not to be personally liable.

138. No Magistrate or Councillor or Officer acting under the Magistrates and Council shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided.

As to Bonds to be granted.

139. All Bonds for Monies to be borrowed as aforesaid shall be signed by the Lord Provost and Treasurer of the City, and by the Clerk, and shall be in the Form and Tenor following, or in such other Form as may be agreed on; videlicet,

'Number [*here state the Number*].

'BY virtue of an Act made in the Year of the Reign of Her Majesty Queen Victoria, intituled [*specify this Act*], the Lord 'Provost, Magistrates, and Council of the City of Edinburgh, in consideration 'of the Sum of [*insert the Sum in Words*] instantly advanced and paid to them 'for the Purposes of the said Act [*or* Acts] by *C. D.* of *E.*, do hereby bind and 'oblige themselves, and their Successors in Office, out of the first and readiest 'of the Monies to be raised under the annual Assessments by the said Act 'authorized to be imposed and levied, and designated the Assessment 'or Rate (*as the Case may be*), to pay at the Term of [*insert Term of Payment*] 'to the said *C. D.*, his Executors or Assignees, the said Sum of [*state the Sum*], 'and also the Interest thereof at the Rate of [*insert the Rate of Interest*] per 'Centum per Annum from the Date hereof, at the Terms of Whitsunday and 'Martinmas in each Year, till the said Sum is paid; and for the further Security 'of the said *C. D.*, the said Lord Provost, Magistrates, and Council hereby 'assign to him, his Executors or Assignees, such Proportion of the said Monies 'to be raised under the said annual Assessment as shall be equivalent to the 'said Sum now paid to them, and the Interest thereon as aforesaid from the 'Date hereof to the Term of Payment; and the said Lord Provost, Magistrates, 'and Council consent to the Registration hereof in the Books of Council and 'Session, or others competent, for Preservation, and that all competent Diligence

'may

'may pass and be directed hereon, in Form as effeirs, and thereto constitute
'their Procurators. In witness whereof
'[*insert Testing Clause in common Form*].

A.B., Lord Provost.
'*K.L.*, Witness. *B.C.*, Treasurer.
'*M.N.*, Witness. *C.D.*, Clerk.'

And till Repayment such Bonds respectively shall form a Lien on the Rates and Assessments assigned by such Bond, and shall entitle the Creditor under the same to recover the Contents thereof from the Magistrates and Council and their Officers out of the first and readiest of such Rates and Assessments.

Bonds may be transferred by Indorsement.

140. Such Bonds may be assigned by Indorsation on the Back thereof in the Form and Tenor following, videlicet,

'I *C.D.*, within designed, do transfer this Bond, with all Right, Title, or
'Interest which I have under the same, to *E.F.*, his [*or* her, *or* their, *as the*
'*Case may be*,] Executors and Assignees. In witness whereof [*insert Testing*
'*Clause in common Form*].

'*K.L.*, Witness. *C.D.*
'*M.N.*, Witness.'

Bonds to be recorded, and Assignations to be registered.

141. Before such Bond shall be delivered to the Creditor, or shall form a valid Lien on the Rates and Assessments as aforesaid, the same shall be recorded in the Minute Book of the Magistrates and Council, and a Certificate of such Registration shall be indorsed on such Bond and signed by the Clerk; and such Assignations shall be notified to the Clerk of the Magistrates and Council, who shall enter in the said Minute Book the Date of the said Assignation, the Names of the Parties thereto, the Number or Mark of such Bond, and the Interest due on the same, as such Interest shall be certified by the Treasurer of Police; and a Certificate of such Entry shall be indorsed on the said Bond and signed by the Clerk; and the said Bond being so certified, the Assignee, his Executors and Assignees, shall thereafter be entitled to the full Benefit of such Bond in Terms of such Assignation; and the whole Expense attending the said principal Bonds and Assignation, including the recording and entering thereof, with the relative Certificate, shall form Part of the Expense for which such Assessments shall be leviable.

Power to borrow on Cash Credit Account.

142. It shall be lawful for the Magistrates and Council, instead of borrowing as herein-before provided, but without Prejudice to their Right to do so, to borrow or accept or take from any Bank or Banking Company in a Cash Credit Account, to be opened and kept according to the Usage of Bankers in Scotland with such Bank or Banking Company, in Name of the said Magistrates and Council, any Sum or Sums of Money which they may be authorized to borrow under the Provisions hereof, and to make and grant Bonds and Assignations of the said Assessments in Security, and for Repayment of the Sums advanced from Time to Time upon such Cash Credit Account and Interest thereof: Provided always, that the Sums so borrowed shall be paid off and extinguished as herein provided.

On Failure to pay after Demand made, Creditors may enter into possession.

143. If, after Demand made on Six Months Notice in Writing to the Magistrates and Council, they shall fail to pay the Sum due under any Bond and Assignation and Transfer thereof, it shall be competent to the Creditors by whom such Demand was made to apply by Petition to either Division of the Court of Session, or in Time of Vacation to the Lord Ordinary officiating on the Bills, who, upon Proof of such Demand and Failure, shall adjudge and sequestrate, for behoof of the whole Creditors, the Assessment or Assessments assigned and

and conveyed as aforesaid, and appoint a Judicial Factor, with Power to him to levy, collect, receive, and take the Revenues so assigned and conveyed, and to apply the said Assessment or Assessments for behoof of the whole Creditors until the Sums due to the said Creditors, and all Interest exigible thereon, and all necessary Expenses, shall be fully paid off and discharged.

Public Loan Commissioners may lend Money.

144. It shall be lawful for the Commissioners acting in the Execution of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Seventeen, and in the Execution of any of the Acts recited in that Act, or of any Act or Acts for amending or continuing the same, to make Advances to the Magistrates and Council upon the Security of all or any of the Monies or Rates to be assessed or levied by them under the said recited Acts, or under the Provisions hereof, and without requiring any further or other Security than a Mortgage of such Monies or Rates, repayable by such Instalments within a Period not exceeding Thirty Years, as shall in each Case be agreed upon.

III.—*Purchase and Acquisition of Lands.*

Part of 8 & 9 Vict. c. 19. incorporated.

145. "The Lands Clauses Consolidation (Scotland) Act, 1845," shall be incorporated with and form Part of this Act with respect to the Provisions thereof as to acquiring Lands by Agreement.

Rights of Heritable Property how to be taken.

146. The Provisions of Section 51 of "The Edinburgh Municipality Extension Act, 1856," with reference to Conveyances of Heritable Property to be acquired for the Purpose of the several Police Acts therein referred to, shall also apply to the Rights of all Heritable Property to be acquired under the Provisions or for the Purposes hereof.

IV.—*Execution of Works by Magistrates and Council.*

Magistrates and Council empowered to enter upon Premises for Purposes of this Act.

147. The Magistrates and Council shall for the Purposes hereof, and of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," have Power, by themselves or their Officers, to enter at all reasonable Hours in the Daytime into and upon any Premises within the Burgh, as well for the Purpose of Inspection as for the Purpose of executing any Work authorized to be executed by them under the Provisions hereof, or of the several Acts before referred to, without being liable to any legal Proceedings on account thereof: Provided always, that, except when herein otherwise provided, the Magistrates and Council or their Officers shall not make any such Entry, unless with the Consent of the Occupier, until after the Expiration of Forty-eight Hours Notice for that Purpose given to the Occupier.

Penalty on Persons obstructing Magistrates and Council or Constables in their Duty.

148. Every Person who shall at any Time resist, obstruct, or molest any Constable, Officer, Watchman, Workman, or other Person employed in the Execution of any Duty, or the Performance of any Work, by virtue of the Provisions hereof or of the several Acts before referred to, or of any Warrant of the Magistrates, or any of them, or of any Byelaw, Regulation, or Order of the Magistrates and Council, or shall aid or incite any Persons so to do, or shall not, when required by a Constable, afford him every reasonable Aid and Assistance in preventing the Escape of any Person whom he has taken into Custody, and is conveying to the Police Office or to Prison, such Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall assault or strike any such Constable, Officer, Watchman, Workman, or other Person employed as aforesaid, or aid or incite any Person to

rescue or attempt to rescue any Prisoner whom any such Constable, Officer, Watchman, or other Person shall have in Custody, or be aiding to secure such Person so offending, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds, or Imprisonment for not more than Sixty Days, without Prejudice to any Constable, Watchman, or other Person on whom such Assault or Offence may have been committed to sue in any competent Court for Compensation, Damages, or Expenses for any Injury or Loss he may thereby have sustained.

Magistrates and Council to give Notice of new Levels or Sewers.

149. Twenty-eight Days at the least before fixing the Level of any Street which has not been theretofore levelled or paved, and before making any Sewer where none was before, or altering the Course or Level of or abandoning or stopping any Sewer, the Magistrates and Council shall give Notice of their Intention by posting a printed or written Notice in a conspicuous Place at each End of every such Street through or in which such Work is to be undertaken, which Notice shall set forth the Name or Situation of the Street intended to be levelled or paved, and the Names of the Places through or near which it is intended that the new Sewer shall pass, or the existing Sewer be altered or stopped up, and also the Places of the Beginning and the End thereof, and shall refer to the Plans of such intended Work, and shall specify a Place where such Plans may be seen, and a Time and Place where all Persons interested in such intended Work may be heard thereupon.

Meeting of Magistrates and Council to hear Objections.

150. The Magistrates and Council, or a Committee of their Number appointed for the Purpose, shall meet at the Time and Place mentioned in the said Notice to consider, in the Presence of the Burgh Engineer, any Objections made against such intended Work, and all Persons interested therein, or likely to be aggrieved thereby, shall be entitled to be heard before the Magistrates and Council or Committee at such Meeting; and thereupon the Magistrates and Council or Committee may, in their Discretion, abandon or make such Alterations in the said intended Work as they judge fit.

Persons aggrieved by Orders of Magistrates and Council may appeal to the Sheriff.

151. Any Person liable to pay or to contribute towards the Expense of any of the Works aforesaid, or otherwise aggrieved by any Order of the Magistrates and Council relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Magistrates and Council that he intends to appeal against such Order to the Sheriff, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Four Days next after giving such Notice the Party grant Bond to the Sheriff, with a sufficient Cautioner to the Satisfaction of the Sheriff, to abide the Order of the Sheriff, and pay such Costs as shall be awarded by the Sheriff thereupon, the Work so appealed against shall not be begun until after the Judgment of the Sheriff upon such Appeal; and the Sheriff, upon due Proof of such Notice, and upon such Caution being found, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the Sheriff in his Discretion thinks fit: Provided always, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Caution found as aforesaid, nor, on the Hearing of such Appeal, shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Notice to be given by Magistrates and Council, and

152. And in respect to Appeal as to all other Matters and Things which the Magistrates and Council are by the Provisions hereof empowered to do or perform, or to authorize to be done or performed, and the Cost attending which falls

falls by the Provisions hereof to be provided for by way of Private Improvement Assessment, the Magistrates and Council shall, where not otherwise hereby directed, give Notice of their Intention to do or perform or to authorize to be done or performed such Matter or Thing, either by public Advertisement in some Newspaper circulating in the Burgh, or by posting Handbills in conspicuous Places in the Burgh, or by Notice in Writing to be transmitted through the Post Office, or delivered personally, or at their Dwelling Houses to the Individuals having Interest, as the Magistrates and Council shall think proper; and it shall be lawful for any Person whose Property shall be taken or affected, and who shall consider himself injured or aggrieved in respect of such other Matters and Things by this Act so directed to be done or performed and provided for, to appeal to the Sheriff from any Order made or Notice given by the Magistrates and Council in respect of such Matters or Things in the Manner and to the Effect herein last before provided and directed; and if such Matter or Thing shall not be made the Subject of Appeal to the Sheriff, or being appealed shall be allowed by him, the Magistrates and Council may proceed with the same, and levy the Assessments in reference thereto hereby authorized: Provided always, that all such Appeals provided for in this and the immediately preceding Clause, and all other Appeals to the Sheriff allowed hereby, not otherwise provided for, shall be disposed of summarily, and the Decision of the Sheriff shall in all Cases be final and conclusive, and not subject to Review by Suspension, Reduction, or Advocation, or in any Manner of Way.

Appeal to the Sheriff.

Appeals to be disposed of summarily, and Decision of the Sheriff final.

V.—*Execution of Works by Owners.*

153. Where under the Provisions hereof, or of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," or "The Edinburgh Municipality Extension Act, 1856," any Notice is required or falls to be given to the Owner or Occupier of any Premises in reference to the Purposes hereof, or of the several Acts before referred to, such Notice, addressed to the Owner or Occupier of such Premises, as the Case may require, may be served on the Occupier of such Premises, or left with some Inmate of his Abode, or, if there be no Occupier, may be put up on some conspicuous Part of such Premises; and it shall not be necessary in any such Notice to name the Occupier or the Owner of such Premises: Provided always, that when the Owner of any such Premises and his Residence are known to the Magistrates and Council, it shall be the Duty of the Magistrates and Council, if such Owner be resident within the Burgh, to cause every Notice required to be given to the Owner to be served on such Owner, or left with some Inmate of his Abode; and if such Owner be not resident within the Burgh, they shall send every such Notice by Post, addressed to the Residence of such Owner.

As to Service of Notice on Owners and Occupiers.

154. Whenever under the Provisions hereof, or of the several Acts before referred to, any Work of any kind falls to be executed by the Owner or Occupier of any Premises, and Default is made in the Execution of such Work, the Magistrates and Council may cause such Work to be executed, and the Expense incurred by the Magistrates and Council in respect thereof shall be repaid to them by such Owner or Occupier, with Interest thereon at the Rate of Five per Centum per Annum from the Time when such Expense was paid by the Magistrates and Council.

In default of Owner or Occupiers, Magistrates and Council may execute Works, and recover Expenses.

155. Whenever Default is made by the Owner of any Premises in the Execution of any Work which by the Provisions hereof, or of the several Acts before referred to, falls to be executed by him, the Occupier of such Premises may,

Occupier, in default of Owner, may execute Works, and

deduct Expenses from his Rent.

may, with the Approval of the Magistrates and Council, cause such Work to be executed, and the Expense thereof shall be repaid to such Occupier by the Owner of such Premises, and such Occupier may deduct the Amount of such Expense out of the Rent from Time to Time becoming due to such Owner.

How Expenses are to be recovered from Owner.

156. If the Owner of any Premises made liable by the Provisions hereof, or of the several Acts before referred to, for any Rate, Assessment, or Charge for the Repayment to the Magistrates and Council of any Expenses incurred by them do not, as soon as the same become due and payable from him, pay such Rate, Assessment, or Charge, or repay all such Expenses to the Magistrates and Council, the Magistrates and Council may, without Prejudice to the Power herein-before contained, recover such Rate, Assessment, Charge, or Expenses, with Interest thereon at the Rate of Five per Centum per Annum from the Time when the same was due and payable, from such Owner, in the same Manner as any Debt may be recovered by the Law and Practice of Scotland.

Power to levy Charges on Occupier, who may deduct the same from his Rent.

157. The Magistrates and Council may, by way of additional Remedy, require the Payment of all or any Part of such Rate, Assessment, Charge, or Expenses, and Interest, payable by the Owner for the Time being from the Person who then or at any Time thereafter occupies any such Premises under such Owner; and in default of Payment thereof by such Occupier, on Demand, the same may be levied by Seizure and Sale of the Goods and Effects of such Occupier in the same Manner as the Police Assessment may be recovered from him under the Provisions hereof; and every such Occupier shall be entitled to deduct from the Rent payable by him to his Landlord so much as is so paid by or recovered from him in respect of any such Assessment, Charge, or Expenses, and Interest.

Occupier not to be liable for more than the Amount of Rent due.

158. Provided always, that no Occupier of any Premises shall be liable to pay more Money in respect of any Sums charged in virtue of the Provisions hereof, or of the several Acts before referred to, on the Owner thereof than the Amount of Rent due from him for the Premises in respect of which such Rate, Assessment, Charge, or Expenses, and Interest, are payable at the Time of the Demand made upon him, or which at any Time after such Demand, and Notice not to pay the same to his Landlord, have accrued, and become payable by him, unless he neglect or refuse, upon Application made to him for that Purpose by the Magistrates and Council, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded of any such Occupier is greater than the Rent which was due by him at the Time of such Demand, or which has since accrued, shall lie upon such Occupier: Provided further, that nothing herein contained shall be taken to affect, abridge, or alter any Claim of Relief or otherwise competent to such Owner or Occupier respectively against each other under any special Contract made between them respecting the Payment of the Expenses of any such Works as aforesaid.

Allocation of Expenses among several Owners or Occupiers, how to be made.

159. Wherever by the Provisions hereof, or of the several Acts before referred to, the Owners or Occupiers of any Lands or Premises within the Burgh are required to execute Works or to defray Expenses in proportion to the Rents or annual Value of the Lands and Premises belonging to or occupied by them respectively or otherwise, and a Dispute shall arise among the Parties, or any of them, relative to their Proportion of the Cost of such Works, or of such Expense, the same shall be determined by the Magistrates, or any One of them, in a summary Manner, and such Decision shall be final.

Magistrates and Council may allow

160. Where any such Rate, Assessment, Charge, or Expenses payable to the Magistrates and Council by any Owner of any such Premises amount to more than

than Half the Amount of the net annual Value of such Building or Lands, the Magistrates and Council may, if they think fit, at the Request of any such Owner, allow Time for the Repayment thereof, and receive the same by such Instalments as they, under the Circumstances of the Case, consider reasonable, but so that the same be repaid by annual Instalments of not less than One Seventh Part of the whole Sum originally due, with Interest for the Principal Money from Time to Time remaining unpaid after the yearly Rate of Five Pounds in the Hundred during the Period of Forbearance; and all such Sums remaining due, notwithstanding the Magistrates and Council have agreed to allow any Time for the Repayment thereof as aforesaid, shall from Time to Time, at the Expiration of the several Times so allowed for Repayment thereof, be recoverable in like Manner as such respective Amounts would have been recoverable if no such Time had been allowed for Repayment thereof.

Time for Repayment by Owners of Improvement Expenses.

161. If the Occupier of any Premises within the Burgh prevent the Owner thereof from carrying into effect in respect of such Premises any of the Provisions hereof, or of the several Acts before referred to, after Notice of his Intention so to do has been given by the Owner to such Occupier, the Magistrate or Judge of Police may make an Order in Writing requiring such Occupier to permit the Owner to execute all such Works with respect to such Premises as may be necessary for carrying into effect the Provisions hereof, and of the several Acts before referred to; and if after the Expiration of Ten Days from the Date of such Order such Occupier continue to refuse to permit such Owner to execute such Works, such Occupier shall for every Day during which he so continues to refuse be liable to a Penalty not exceeding Five Pounds; and every such Owner, during the Continuance of such Refusal, shall be discharged from any Penalties to which he might otherwise have become liable by reason of his Default in executing such Work.

Proceedings in case of Tenants opposing the Execution of this Act.

162. Nothing herein contained shall extend to or make void any Agreement in Writing entered into before the passing of the Act confirming this Provisional Order for erecting or altering any Building, but the same shall be performed with such Alterations as may be rendered necessary by the Provisions hereof, and as if such Alterations had been stipulated for in such Agreement; and the Difference between the Cost of the Work according to the Agreement, and the Cost of such Work as executed according to the Provisions hereof, shall be ascertained by the Parties to the respective Agreements, and paid for or deducted, as the Case may require; and if the said Parties do not agree upon the Amount of such Difference, the same shall, on the Request of either Party (Notice being given to the other), be decided by the Burgh Engineer, and for his Trouble in making such Decision each of the said Parties shall pay to the said Burgh Engineer such Sum not exceeding One Pound, and to be disposed of for such Purposes hereof, as the Magistrates and Council shall direct.

Respecting existing Contracts for building.

163. Nothing herein contained shall affect any Lease or Agreement for a Lease whereby any Person may be bound to erect Buildings upon any Building Ground within the Burgh, but the Buildings mentioned in such Lease or Agreement shall be built, according to the Conditions which may be rendered necessary by the Provisions hereof, in the same Manner as if the Act confirming this Provisional Order had been passed and in operation at the Time of making such Lease or Agreement, and the same had been made subject thereto, and that without either Party being entitled to any Compensation.

Respecting Contracts for Leases.

VI.—*Jurisdiction and Recovery of Penalties.*

Jurisdiction of Magistrates of Police under this Act.

164. The Judges of Police or any One or more of them shall have Jurisdiction and Power to take cognizance of all Crimes, Offences, Misdemeanors, and Breaches of the Police Regulations herein-before contained, and of all Offences, Matters, and Things falling under the Provisions of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," in so far as such Provisions are not repealed or altered, or of any Byelaw made in virtue of the Provisions hereof, or of the several Acts immediately above referred to, and of any other Crime or Offence which is punishable by Public General Statute or Common Law, and is within the Jurisdiction of the Magistrates of any Royal Burgh, and shall have all such and the like Jurisdiction as any Magistrate of a Royal Burgh has by the Law of Scotland within the Royal Burgh for which he acts as a Magistrate: Provided always, that nothing herein contained shall be held to alter or in any Degree to affect the Provisions of the 244th Section of "The Edinburgh Police Act, 1848."

Magistrates of Police may appoint Procurator Fiscal.

165. It shall be lawful for the Magistrates and Council to appoint from Time to Time, by Writing and during Pleasure, the Superintendent of Police or other fit Person to be Procurator Fiscal of, and conduct Prosecutions and other Proceedings in, the Police Court in all Cases cognisable by the Judges of Police, and such Procurator Fiscal shall have all such and the like Powers and Privileges as by Law appertain to any Procurator Fiscal by the Law of Scotland: Provided always, that the Superintendent of Police, although not appointed Procurator Fiscal, the Burgh Engineer, and the Inspector of Lighting and Cleansing shall respectively also be entitled to act as Procurator Fiscal in the Police Court in all Cases arising out of any Breach of the Provisions hereof or of the several Acts above referred to, or of any Byelaws made in virtue hereof or of the said Acts, in so far as such Provisions relate to any Matters or Things placed under their Charge respectively.

Interim Fiscal.

166. In the temporary Absence of the Procurator Fiscal appointed or acting as herein authorized, occasioned by Indisposition or other Cause, it shall be lawful for any Lieutenant of Police, with the written Authority of the said Procurator Fiscal, to perform ad interim the Duties of such Procurator Fiscal in the Name of such Procurator Fiscal, and to insist in any Proceedings which may have been commenced in the Name of such Procurator Fiscal.

Forms of Procedure in Police Court.

167. All Actions, Prosecutions, and Proceedings for Crimes and Offences committed within the Burgh, or for the Recovery of Fines, Penalties, Forfeitures, or Expenses under the Provisions hereof, or of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," in so far as the Provisions of the said Acts are not repealed or altered, or of any Byelaws made in virtue hereof or of the said Acts, the Mode of recovering which is not otherwise provided for, shall be conducted before the Judges of Police, in the Police Court, at the Instance of the Procurator Fiscal appointed or acting as herein authorized; and (with the Exception of Complaints against Chain Droppers, Thimblers, loaded Dice Players, and Offenders of that Description) such Complaint in all Cases of Theft or of Reset of Theft, or of Falsehood, Fraud, and wilful Imposition, or of Breach of Trust and Embezzlement, shall bear that the Sum of Money, or the Value of the Article stolen, resetted, obtained by Falsehood, Fraud, and wilful Imposition, or embezzled, does not exceed Ten Pounds; and it shall not be competent thereafter to the Person accused (except where an Offer shall be made at the Time)

to prove that the Money or Article stolen, resetted, obtained, or embezzled exceeded in Value the Sum of Ten Pounds: and it shall be competent to the Judges of Police, where no special Penalty is attached to the Crime or Offence charged, to sentence the Person convicted of such Crime or Offence to Imprisonment for any Period not exceeding Sixty Days, or to adjudge Penalties not exceeding Ten Pounds; and the whole Procedure before such Judges of Police or any of them shall be conducted summarily vivâ voce, and without written Pleadings; and no other Record shall be kept of the Proceedings except the Complaint and the Judgment pronounced thereon; and it shall not be competent to any Party who shall appear to answer to any Complaint to plead Want of due Citation, or Informality in the Warrant, Citation, or Execution.

Forms of Procedure to be framed.

168. The Judges of Police, with the Advice and Approbation of the Lord Justice General and the Lord Justice Clerk for the Time being, shall and they are hereby authorized and required, when necessary, to frame Rules and Regulations and Forms of Procedure for the said Police Court calculated to despatch the Business thereof in the easiest and most expeditious Manner, and from Time to Time to alter and amend the same.

Certain Crimes not competent to be taken cognizance of in the Police Court.

169. If it shall appear, either in the preliminary Investigation of the Charges against any Person accused of having committed any Crime or Offence within the Burgh, or during his Trial before the Judge of Police, that such Person has been guilty of or is charged with any of the Crimes denominated the Pleas of the Crown, (videlicet,) Murder, Robbery, Rape, and wilful Fire-raising, or with the Crimes of Stouthrief, or of Theft by Housebreaking, or of Housebreaking with Intent to steal, or of Theft to an Amount exceeding Ten Pounds, or of Theft by opening lockfast Places, or of Theft aggravated by being Habit and Repute a common Thief, or by having been twice previously convicted of Theft, or of Reset of Theft, to an Amount exceeding Ten Pounds, or of Reset of Theft aggravated by having been twice previously convicted of that Crime, or of Falsehood, Fraud, and wilful Imposition to an Amount exceeding Ten Pounds, or of Falsehood, Fraud, and wilful Imposition aggravated by having been twice previously convicted of that Crime, or of Breach of Trust and Embezzlement to an Amount exceeding Ten Pounds, or of Breach of Trust and Embezzlement aggravated by having been twice previously convicted of that Crime, or of Assault to the Danger of Life, or of Assault whereby any Limb has been fractured, or of Assault with any Knife or other lethal Instrument where Effusion of Blood has followed, or of Assault aggravated by Two previous Convictions for that Crime, or of Assault with Intent to ravish, or of Attempt at wilful Fire-raising, or of culpable Homicide, or of Forgery, or of uttering forged Bank or Banker's Notes, or if the Crime or Offence charged, from having been committed beyond the Limits of the Burgh, or from being otherwise excluded from the Jurisdiction of the Judge, falls to be tried in another Jurisdiction, or if the Crime or Offence charged shall in the Opinion of the Judge merit a higher or greater Punishment than he can lawfully award, it shall not be competent for the Procurator Fiscal to insist in a Prosecution against such Person before the Judge of Police, but the Judge shall commit the Person accused to Prison for Examination, and the Procurator Fiscal shall forthwith give Notice of such Commitment to the Procurator Fiscal or other proper Officer for the City, County, Burgh, or other Jurisdiction within which the Crime or Offence shall be charged to have been committed, or if charged to have been committed on the High Seas, or out of the United Kingdom, to the Lord Advocate of Scotland, in order that such Person may be proceeded against conformably to Law; Provided always, that the aforesaid Provision shall not apply to Chain Droppers, Thimblers, loaded Dice Players, and Offenders of that Description, whom the Judge of Police

Police is hereby specially empowered to try and sentence, whatever may be the Amount of the Sum specified in the Charge against them, or however often they may have been previously convicted.

Officers or Owners of Property, &c. may take Offenders and suspected Persons into Custody.

170. Any Person found committing any Crime or Offence cognizable by the Judges of Police may, without a Warrant, be apprehended by the Owner of the Property on or with respect to which the Crime or Offence shall be committed, or by his Servant or any Person authorized by him, and be detained until he can be delivered into the Custody of a Police Constable; and any Police Constable may search any Premises, and may also stop, search, and detain any Vessel, Boat, Cart, or Carriage in or upon which there shall be Reason to suspect that anything stolen or unlawfully obtained or fraudulently carried away may be found, and also any Person who may be reasonably suspected of having or carrying in any Manner anything stolen or unlawfully or fraudulently obtained or carried away, and may seize, impound, and convey to the Police Office anything known or reasonably suspected to have been stolen or unlawfully or fraudulently obtained; and it shall be lawful for any Pawnbroker, or other Broker or Dealer, or any other Person to whom any Goods or Articles which shall be reasonably suspected to be stolen or illegally obtained shall be offered to be pawned, sold, or delivered, and he is hereby required, to detain the Person offering the same, and for any Officer or Constable to take such Person into Custody, and such Person, whether apprehended by any Constable or given into the Custody of any Constable, may, on Examination by the Judge of Police, be remanded to the Police Office, or committed to Prison for a Period not exceeding Three lawful Days, or till Bail be given for his Appearance within the said Term for further Examination, and if on further Examination the Judge of Police shall be satisfied that the Goods or Articles were stolen or otherwise illegally obtained he may commit the Person charged to Prison to be dealt with according to Law: Provided always, that the Superintendent or Lieutenant on Duty at the Police Office shall, without Delay, inquire as to the Circumstances attending the Possession of such Goods or Articles, in order to his determining whether the Party shall be immediately discharged or liberated on Bail in manner herein provided; and further, provided that any Constable, Pawnbroker, Broker, or Dealer, or any other Person, who shall detain any Person under this Provision, shall be freed from Responsibility, unless Malice be averred and proved.

Horse, Carriage, or Vessel of Persons taken into Custody may be secured.

171. When any Person having charge of any Horse, Cart, Carriage, Vessel, or Boat, or any Animal or Thing, shall be taken into the Custody of any Constable, it shall be lawful for any Constable to take charge of such Horse, Cart, Carriage, Vessel, or Boat, or Animal or Thing, and to deposit the same in some Place of safe Custody as a Security for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same; and unless the same shall be claimed by the Owner, and all Expenses incurred thereon paid, within Four Days after such Detention, it shall be lawful for the Judge of Police, upon the Application of the Procurator Fiscal, to order the Sale of any such Horse, Cart, Carriage, Vessel, or Boat, or any Animal or Thing, so detained, and the Proceeds of such Sale to be applied towards the necessary Expenses incurred, the Overplus, if any, being paid to the Owner on Demand.

Limitation of Police Prosecutions.

172. All Actions, Prosecutions, or Proceedings before the Judges of Police for Recovery of Fines, Penalties, Forfeitures, or Expenses shall be commenced within Three Months from the Time the Facts on which such Actions, Prosecutions,

tions, or Proceedings were brought shall have been discovered and known, and not thereafter.

Superintendent in certain Cases may accept of Bail or Deposit.

173. Upon the Apprehension of any Person charged with any Crime or Offence which may be tried by the Judges of Police, it shall be lawful for the Superintendent of Police, or the Lieutenant of Police upon Duty at the Time, to accept of Bail or Deposit that such Person shall appear for Trial before the Judge of Police at some Time and Place to be specified, and at all after Diets of Court, and to liberate the Person so apprehended upon Bail being found to an Amount not exceeding Twenty Pounds, or upon the Deposit of any Money or Article of Value to the Amount of the Bail fixed; and the Superintendent or Lieutenant of Police, if Deposit be accepted, shall enter the same in a Book to be kept for the Purpose, and grant an Acknowledgment for the Money or Article so deposited: Provided always, that the Superintendent or Lieutenant of Police may refuse, if he see Cause, to accept of Bail in any Shape; and the Refusal to accept Bail or Deposit, and detaining the Person so apprehended until the Case of such Person is tried in the usual Form, shall not subject the Superintendent or Lieutenant of Police to any Claim for Damages, wrongous Imprisonment, or Claim of any other Kind whatsoever.

Persons in Custody to be taken before the Magistrates.

174. Every Person taken into Custody, and who shall be detained in Custody, may be detained in the Police Office or Police Cells, and shall be taken before the Judge of Police not later than in the course of the first lawful Day after he shall be taken into Custody, such Day not being a Sacramental Fast Day, or a Day set apart for a General Fast; and if the Nature of the Crime or Offence charged shall admit of its being competently tried before the Judge of Police, it shall be lawful for him to grant Warrant to commit such Offender to the Police Cells or to Prison, when remanded for affording Time to find Bail, or for further Examination, or for Trial, such further Examination or Trial always taking place as soon as Circumstances shall permit, and without any unnecessary Delay.

Authority to Officers to cite Parties and Witnesses.

175. Any Person charged with any Crime or Offence which may be tried by the Judge of Police, and any Witness required to give Evidence in relation to the same, if within the Burgh, may, without any Warrant, be cited by any Constable; and it shall be deemed a legal Citation of such accused Person or Witness, or of any accused Person or Witness beyond the Burgh for citing whom Warrant has been granted as herein-after provided, if the Citation (which, as given to the accused Person, shall state the Nature of the Charge) be delivered personally, or left at his Dwelling House, or, if such Person or Witness has no known Dwelling House, at the Hotel, Inn, Lodging House, or other Place in which he eats and sleeps, or in the Shop, Warehouse, Counting-house, or other Place of Business occupied by him, or in which he is employed, or, in the Case of a Master of or Seaman or Party employed in any Ship or Vessel, in the Hands of a Person on board thereof and connected therewith.

Offenders removing from the Bounds of Police, how to be proceeded against.

176. When any Person charged with having committed any Crime or Offence which may be tried by the Judges of Police, or when any Witness is beyond the Burgh, the Judge of Police shall grant Warrant for apprehending or citing the Offender, and for citing and, failing Appearance after due Citation, for apprehending the Witness; and any such Warrant shall be sufficient within Scotland for citing any Offender or Witness, and for conveying such Offender or Witness as shall be taken into Custody in Terms of the Warrant, to be dealt with according to Law, if such Warrant is backed or endorsed by the Sheriff: Provided always, that the said Warrant shall be executed by a Constable.

177. When

Offenders failing to appear may be apprehended.

177. When any Person charged with any Crime or Offence which may be tried by the Judge of Police who has been duly cited, or who has been liberated on Bail or Deposit, fails to appear at the Time and Place appointed, or when any such Person having appeared fails to attend personally at any after Diet of Court, the Judge of Police may grant Warrant to take such Person into and detain him in Custody till the next Diet of Court, or to commit him to Prison until he finds Bail to an Amount not exceeding Twenty Pounds to appear at the next and all after Diets of Court; and when any Person suspending, advocating, appealing against, or bringing under Review any Order or Sentence of the Judge of Police has found Caution for his after Appearance as herein-after provided, the Judge of Police may, if such Sentence or Order be sustained, and such Person fails to appear, grant Warrant to apprehend and commit such Person to Prison until the Order or Sentence has been carried into full Execution.

Examination of Witnesses.

178. Where from the Absence of Witnesses for the Prosecutor in any Complaint, or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Accused in such Prosecutions are in Attendance, it shall be lawful for the Judge of Police, at the Request of the accused Person, and if the Judge of Police in the Circumstances shall deem it proper, to take the Evidence of the Witnesses or the Accused before the Proof for the Prosecution has been led or concluded, but the Accused shall in all such Cases be entitled to lead additional Evidence after the Prosecutor's Case has been concluded.

Penalty for Witnesses not appearing.

179. If any Person who has been duly cited as a Witness to appear before the Judge of Police fails to appear at the Time and Place for that Purpose appointed, the Judge of Police may grant Warrant to take such Person into and detain him in Custody, or to commit him to Prison until he finds Security to an Amount not exceeding Twenty Pounds to appear and give Evidence, and may also in open Court and in a summary Manner sentence such Person to a Penalty not exceeding Five Pounds, and if it appears that his Noncompliance arose from a Desire on his Part to defeat the Ends of Justice, the Judge of Police may, instead of the said Penalty, sentence such Person to be imprisoned for a Period not exceeding Thirty Days: Provided, that Proof on Oath be made that he had been legally cited at least Twenty-four Hours before the Diet of Court.

Penalty for Witnesses refusing to give Evidence.

180. If any Person summoned as a Witness to give Evidence before the Judge of Police, and appearing shall refuse to be sworn or examined upon Oath, or, in case of a Quaker or other Person privileged by Law to be examined upon solemn Affirmation, after being sworn or having undertaken to affirm, shall refuse to give Evidence touching or concerning the Subject Matter of Complaint, the Judge of Police may grant Warrant to commit to Prison such Person for any Period not exceeding Sixty Days.

Witnesses prevaricating may be punished summarily.

181. If any Person when under Examination on Oath or solemn Affirmation before the Judge of Police shall prevaricate or wilfully conceal the Truth, it shall be lawful to the Judge of Police, in open Court and in a summary Manner, to adjudge the Person so offending to Imprisonment for any Term not exceeding Sixty Days, and the Sentence awarding such Imprisonment shall set forth the Nature of such Offence; and if any Person when under Examination on Oath or solemn Declaration as aforesaid shall wilfully or corruptly give false Evidence touching any Matter or Thing relating to the Case, or shall wilfully or corruptly swear or affirm any Matter or Thing which shall be false or untrue, although the Evidence be not recorded, every Person so offending, on being duly

duly convicted thereof, shall be subject and liable to such Pains and Penalties as by Law Persons guilty of wilful and corrupt Perjury are liable to; and it shall be lawful to the Judge of Police to remit such Person for Trial to a higher Criminal Tribunal, and for that Purpose to grant Warrant for his Imprisonment until disposed of according to Law.

In default of paying Fines Parties to be imprisoned.

182. In any Action or Proceeding before the Judge of Police for the Recovery of Fine, Penalty, Forfeiture, or Expenses, the Person so found liable shall be sentenced to Imprisonment until the same is paid, but for Sums not exceeding Forty Shillings the Period of Imprisonment shall not exceed Thirty Days, and in no Case shall the Period of Imprisonment for Nonpayment exceed Sixty Days.

Power to order Offenders to find Caution in lieu of Imprisonment or Fine,

183. It shall be lawful for the Judge of Police, in lieu of any Punishment by Imprisonment or Fine, to ordain any Offender to find Caution for good Behaviour or for keeping the Peace for any Period not exceeding Twelve Months, and under a Penalty not exceeding Twenty Pounds, and to sentence the Person ordained to find such Caution to be imprisoned till Caution be found, but in no Case shall the Period of Imprisonment exceed Sixty Days.

or to find Caution in addition to Imprisonment or Fine.

184. It shall be lawful for the Judge of Police, in addition to any Punishment by Imprisonment or Fine, to ordain the Offender to find Caution as aforesaid from and after the Expiry of the Term of Imprisonment, or from and after the Payment of the Fine or pecuniary Penalty specified in the said Sentence, or from and after the Expiry of the Term of Imprisonment for Nonpayment thereof, and to sentence the Person ordained to find such Caution to be further detained in Prison beyond the Expiry of the said Term of Imprisonment until such Caution be found, but in no Case shall the whole Period of Imprisonment, including the Period of Detention for not finding such Caution, exceed Ninety Days.

Warrant of Commitment.

185. In all Cases where Sentence of Imprisonment is imposed by the Judge of Police, a short Extract of the Charge and Sentence, certified by the Clerk of the Police Court or his Depute, shall be a sufficient Warrant of Commitment: Provided always, that any Person sentenced to Imprisonment in consequence of Nonpayment of any pecuniary Fine, Penalty, Forfeiture, or Expenses, or for Want of Caution being found, or otherwise, may be detained in the Police Office or Police Cells for a reasonable Time to allow of such Extract being made, such Time not exceeding in any Case Twelve Hours.

Constables may be dismissed by the Magistrate.

186. It shall be lawful for the Judge of Police, without the Necessity of any Complaint, to direct the Superintendent of Police or Inspector of Lighting and Cleaning to dismiss any Sergeant, Criminal Officer, Constable, Lamplighter, Scavenger, or other inferior Officer whose Conduct in any Proceedings that shall form the Subject of Investigation before the Judge of Police shall, in the Opinion of such Judge, render such Officer unfit to be any longer retained in the Police Establishment, and such Officer shall be dismissed accordingly.

Proceedings not to be void for Want of Form, and Judgments to be final.

187. No Order, Judgment, Record of Conviction, or other Proceeding whatsoever concerning any Prosecution instituted before the Judge of Police shall be quashed or vacated for any Misnomer or Informality; and all Judgments and Sentences pronounced by the Judge of Police shall be final and conclusive, and not subject to Suspension or Advocation or Appeal, or any other Form of Review or Stay of Execution, unless on the Ground of Corruption, Malice, or Oppression on the Part of such Judge, or of such Deviations in point of Form from the statutory Enactments as the Court of Review shall think took place wilfully or of Incompetency, including Defect of Jurisdiction; and such Suspension

sion or Advocation or Appeal, or Review or Stay of Execution, must be presented to the High Court of Justiciary within Fourteen Days after the Date of the Sentence complained of.

No Suspension or Stay of Execution, &c. to prevent Payment of Penalties.

188. Such Suspension, Advocation, Appeal, Review or Stay of Execution shall not operate as a Suspension or Stay of Execution of any Order or Sentence of the Judge of Police requiring the Payment of any Penalty, unless on Consignment thereof in the Hands of the Clerk of Court, nor of any Order or Sentence of the Judge of Police ordaining Caution, or awarding Imprisonment, unless on Caution to the Satisfaction of the Judge of Police to an Amount not exceeding Fifty Pounds, or if the Caution be ordered by the Judges of the High Court of Justiciary, or any One of them, to the Amount so ordered, that, in the event of the Order or Sentence being sustained, the Person suspending, advocating, appealing, or bringing under Review as aforesaid shall appear before the Judge of Police on the first lawful Day thereafter, and the Order or Sentence of the Judge shall, in so far as the same has not been carried out, be then and there carried into full Execution; and in all Cases where any Order or Sentence of the Judge of Police is brought under Review, or where any Action is brought against the Procurator Fiscal appointed or acting as herein authorized, or against any Officer or Constable, in consequence of anything done in the Execution of their respective Duties, or of the Order or Sentence of the Judge, it shall be lawful for the Judge to authorize the Expenses incurred in the Proceedings in such Suspension, Advocation, Appeal, or Action to be defrayed out of the Police Assessment hereby authorized: Provided always, that at the First Meeting of the Magistrates and Council after the raising of such Suspension, Advocation, Appeal, or Action as aforesaid, the Procurator Fiscal shall make a Report of the Facts and Circumstances of the Prosecution on which any such Sentence or Order shall have been pronounced and brought under Review, or such Action raised, and the Magistrates and Council shall thereupon direct such Sentence so brought under Review or such Action to be defended or not, as to them shall seem proper; and if they shall direct such Sentence or Action not to be defended, then no Expenses incurred in defending the same subsequent to such General Meeting shall be defrayed out of the said Assessment.

Fines to be paid to the Clerk.

189. All Forfeitures, Penalties, Fines, and Expenses imposed by the Judges of Police, and recovered, shall be paid to the Clerk of Court, unless otherwise awarded, and shall be accounted for by him once every Month, or at such other Time or Times as the Magistrates and Council may direct, to the Collector; and the Procurator Fiscal is hereby directed on the First Monday in every Month to intimate to the Collector the Amount of the Forfeitures, Penalties, Fines, and Expenses imposed in the previous Month.

Application of Penalties.

190. The whole Forfeitures, Penalties, Fines, and Expenses imposed by the Judge of Police, and paid to the Clerk of Court, shall be applied in Payment of the Expenses incurred in alimenting Prisoners detained in Custody in the Police Office or Station Houses: Provided always, that if such Forfeitures, Penalties, Fines, and Expenses shall not be sufficient for these Purposes, whatsoever further Sum may be required shall be paid from the Police Assessment; and if such Forfeitures, Penalties, Fines, and Expenses shall be more than sufficient for these Purposes, the Surplus shall be applied to the same Purposes as the Police Assessment.

For Recovery of forfeited Bail Bonds and Bonds of Caution.

191. When any Person shall be apprehended, and afterwards liberated on finding Bail for his Appearance, and shall fail to appear, or when any Person who shall have found Caution for good Behaviour, or for keeping the Peace as aforesaid, shall commit a new Offence inferring Forfeiture of such Caution, or when

when any Person suspending, advocating, or appealing, or otherwise bringing under Review any Sentence pronounced against him, shall have found Caution for his after Appearance as herein-before provided, and shall fail so to appear, it shall be lawful for the Judges of Police to declare the Sum contained in the Bail Bond or Bond of Caution to be forfeited, and to order the Cautioner to be summoned to make Payment thereof to the Clerk within Six Days after the Date of such Summons, and in default of such Payment, after the Lapse of such Period, to grant Warrant for apprehending and imprisoning the Cautioner till the said Sum be paid, but which Period of Imprisonment shall not exceed Thirty Days from the Time of Incarceration, and after such Imprisonment no further Procedure against the Cautioner shall be competent on the Bond; and when any Money or other Article shall be deposited by any Person as a Security for his Appearance, and such Person shall fail to appear, it shall be competent to the Judge of Police to declare such Deposit to be forfeited, and if it be Money it shall be forthwith ordered by the Judge of Police to be paid to the Clerk; and if it be not Money such Article so deposited shall be ordered by the Judge of Police to be sold by Public Auction, and the free Proceeds shall be paid to the Clerk, and all Sums paid to the Clerk as aforesaid shall be accounted for by him along with the Forfeitures, Penalties, Fines, and Expenses to the Collector, and applied in the same Way and Manner as Forfeitures, Penalties, Fines, and Expenses are directed to be applied.

Cautioners in Bonds.

192. Any Bail Bond or Bond of Caution, the Cautioner in which is unable or shall declare he is unable to subscribe his Name, shall be valid and effectual if such Cautioner shall adhibit to such Bond his Mark in Presence of Two Witnesses, who shall subscribe the said Bond in testimony thereof.

Where any Act or Decision, &c. declared final, the same shall not be reviewable.

193. Wherever any Act, Decision, Determination, Declaration, or Deliverance of any Sheriff or Magistrate, or Preses of a Meeting, or other Person whatever, is by this Act declared to be final, the same shall not be subject to be set aside or reviewed or affected by any Court or Judicature upon any Ground or in any Manner of Way whatever.

Jurisdiction of Sheriffs and Courts of Guild to be preserved.

194. No Jurisdiction hereby conferred shall be held to exclude the Jurisdiction of the Sheriff or Court of Guild where the Case shall in the first instance have been brought before or taken up by the Sheriff or Court of Guild.

VII.—*Promotion of the Public Health.*

Magistrates and Council to be Local Authority.

195. The Magistrates and Council shall be the Local Authority within the Burgh for the Purposes of "The Nuisances Removal (Scotland) Act, 1856," anything in the said Act or any Regulation or Order to the contrary notwithstanding.

Power of Entry to include Superintendent of Police, Medical Officer, and others.

196. The Power of Entry given by the Ninth Clause of the said last-mentioned Act to the Local Authority or Inspector shall include the Superintendent of Police and the Medical Officer of the City, or such other Officers as the Local Authority may desire to accompany them to inspect any private Premises where the Local Authority or Inspector of Nuisances have reasonable Grounds for believing that Nuisance exists.

Decree to prevent overcrowding of common Tenements, and Watercloset Accommodation may be ordered.

197. The Eleventh Clause of the said last-mentioned Act is hereby amended to this Extent, that the Decree therein mentioned shall also, if the Case requires it, ordain the Owner of any inhabited House, Building, or Part thereof which has been rendered unwholesome or unfit for Human Habitation by and through its being overcrowded, as the Author of such Nuisance, to limit the Number of separate Dwellings into which such common Tenement or Part thereof may be divided,

divided, or let to or for the Use of separate Families, and the Number of Persons who may be accommodated in such common Tenements, or such Parts thereof which may be let to or for the Use of separate Families; and the Word "Nuisances" under the said Act shall include "any overcrowding of an in- "habited House, Building, common Tenement, or Part thereof insufficient in "Size for the Number of Persons inhabiting the same;" and the said Decree shall also, if the Case requires it, ordain the Owner, as the Author of the Nuisance, to provide sufficient Watercloset Accommodation (in lieu of Privy Accommodation) for the separate Use of the Sexes of the Inmates of such common Tenement or Parts thereof.

Sheriff may supersede Consideration of Complaint to permit regular Drainage Works to be carried out under Police Acts.

198. The Forty-third Section of the said last-mentioned Act is hereby amended to this Extent, that it shall be lawful to the Sheriff to supersede the Consideration, for such Time as he shall see proper, of any Complaint directed, under the said Forty-third Section of the said Act, against the Magistrates and Council, if he shall deem such just, to enable the Magistrates and Council to carry out a regular System of Drainage, in order the better to remove any Nuisance for the Removal of which Drainage Works are necessary.

Sheriff may grant Warrant for Recovery of Penalties and Expenses, and for Imprisonment if not paid.

199. The Forty-fourth Section of the said last-mentioned Act is hereby amended to this Extent, that the Sheriff may, without Prejudice to any other Remedy under the said Act for the Recovery of Penalties, grant Warrant for the Recovery of the Penalties and Expenses decerned for, and, failing Payment thereof by the Party convicted within Eight Days after Conviction, for his Imprisonment for a Period, in the Discretion of the Sheriff, not exceeding Sixty Days.

Offensive Trades to be subject to Regulations.

200. The Business of a Blood Boiler, Bone Boiler, Tanner, Slaughterer of Cattle, Horses, or Animals of any Description, Soap Boiler, Tallow Melter, Tripe Boiler, or other noxious or offensive Business, Trade, or Manufacture shall not be newly established in any Building or Place within the Burgh, or within Two hundred Yards thereof, without the Consent of the Magistrates and Council; and any Person contravening this Enactment shall be liable for each Offence to a Penalty of Fifty Pounds, and a further Penalty of Forty Shillings for each Day during which the Offence is continued; and the Magistrates and Council may from Time to Time make such Byelaws with respect to any such Businesses so newly established within the Burgh as they may think necessary, and in order to prevent or diminish the noxious or injurious Effect thereof.

Power to remove Persons labouring under infectious Disease.

201. With a view to prevent the spreading of infectious or contagious Disease, be it enacted, that whenever the Medical Officer of Health shall be satisfied that any Person labouring under such Disease should be removed to the Royal Infirmary or other Hospital, he shall cause such Person to be removed in such Way and Manner as he may prescribe; and whatever Expense may be so incurred shall form a proper Charge against the Police Funds, reserving to the Magistrates and Council their Claim against any Parties liable therefor.

Premises within Burgh not to be used as Infirmary or Hospital without Licence.

202. No Houses or other Premises within the Burgh shall be used or occupied as an Infirmary or Hospital for the Treatment of Persons affected with Fever or other Disease until a Licence shall have been obtained therefor from the Magistrates; and no such Licence shall be granted until the same shall have been certified to be suitable for such a Purpose by the Medical Officer of Health, or some other duly qualified Medical Practitioner appointed by the Magistrates to inspect and report on the same.

Removal of Corpses to Funeratory.

203. Whenever any Person shall die in such Circumstances as that the Corpse, if kept, would remain in an occupied Room or Apartment, or so as to be offen-

sive

sive or prejudicial to the Health of Persons in the same or any adjoining Tenement, the Medical Officer of Health may cause the Corpse to be removed to a Funeratory to be provided by the Magistrates and Council for the Purpose; and the Expense of providing such Funeratory, and of removing and, if necessary, of interring such Corpse, shall form a Charge against the Police Funds, reserving to the Magistrates and Council, in the Case of such Interment being made by them, their Claim against any Parties liable therefor.

The Nuisances Removal Act.

204. Whatever by the said last-mentioned Act is authorized to be done by the Medical Officer of the Parish may be done by the Medical Officer of Health, or other duly qualified Medical Practitioner appointed by the Magistrates and Council, whose Actings in the Execution of the Provisions of the said Act shall in all respects receive the same Effect as if done or performed by the Medical Officer of the Parish.

Miscellaneous Provisions.

Security to be taken from Collector.

205. The Magistrates and Council shall and they are hereby required to take such Security from the Treasurer or Collector to be appointed by them for the due Execution of his Office, and for his faithful accounting for all Monies received by him in virtue of his Office, as to the Magistrates and Council shall seem meet; and such Security shall be taken from the Treasurer or Collector before he shall enter upon the Execution of his Office.

On Insolvency of Collector, Deficiency may be assessed.

206. In case any Treasurer or Collector appointed by the Magistrates and Council shall become insolvent, and the Sum or Sums chargeable against him shall not have been paid by his Cautioners or Sureties, then and in every such Case the Sum deficient shall be chargeable against and form a Burden upon the next or subsequent annual Assessments, and shall be taken into account in fixing the Rate of such Assessment or Assessments.

Certain Provisions of Local Acts repealed.

207. So much of "The Edinburgh Police Act, 1848," as is included in the Sections thereof numbered respectively 38 to 41 both inclusive, 43 to 56 both inclusive, 59 to 62 both inclusive, 64, 66, 67, and so much of 81 as refers to the Superintendent of Police and the Inspector of Lighting and Cleansing, and also Sections 82 to 91 both inclusive, 94 to 102 both inclusive, 106 to 112 both inclusive, 125, 126, 145, 149, 152, 155, 159, 166, 167, 172, 173, 175, 181, 196, 203 to 209, both inclusive, 215, 222, 223, 227, 229, 254, and also Schedules C., D., and E. appended to the said Act, are hereby repealed; and so much of "The Edinburgh Police Amendment Act, 1854," as is included in the Sections thereof numbered respectively 43, 49, 50, 58, and 59, are also hereby repealed: Provided always, that nothing herein contained shall prejudice the Right of the Magistrates and Council to recover all Arrears of Police and other Assessments imposed for the Year from Whitsunday 1866 to Whitsunday 1867 and preceding Years in the Way and Manner prescribed by "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," or by the several Acts under which such Assessments were respectively imposed.

Saving Provision of Local Acts.

208. Nothing herein contained shall be held to repeal or affect the Provisions of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," "The Edinburgh Municipality Extension Act, 1856," the Act 23 & 24 Vict. Cap. 50., and the Act 24 & 25 Vict. Cap. 27., except in so far only as herein expressly provided, or as shall be necessary to give effect to the Provisions hereof; and the Provisions and Enactments herein contained shall extend and be construed, deemed, and taken to extend to and form Part of the above-recited Acts in the same Manner, and as fully, and to all Intents and Purposes,

Purposes, as if the said Provisions and Enactments were set forth in and incorporated with the said recited Acts.

Interpretation Clause.

209. Except as herein otherwise expressly provided, the Words and Expressions herein used shall have and bear the Meanings severally assigned to them in "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856:"

The Words "the Burgh" shall mean and include the District within the Boundaries to which "The Edinburgh Police Act, 1848," as altered or extended by "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856," apply:

The Words "the Magistrates and Council," and "the Commissioners," shall mean the Magistrates and Council of the City of Edinburgh; and wherever the Words "the Commissioners" are used they shall be read as if the Words the "Magistrates and Council" had been used instead thereof:

The Words "the Judge of Police," or "the Judge," shall mean the Judge sitting and officiating in the Police Court under the Provisions hereof and of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856:"

The Words "Medical Officer of Health," or "Medical Officer," shall mean the Surgeon or Medical Practitioner appointed by the Magistrates and Council under the Provisions of "The Edinburgh Police Act, 1848," and of "The Edinburgh Municipality Extension Act, 1856," or any other Local or General Act in force within the Burgh:

The Words "the Burgh Engineer" herein used shall mean "the Superintendent of Streets and Buildings," and also the "Surveyor" appointed by or acting under the Commissioners of Police, or Magistrates and Council, under the Provisions of "The Edinburgh Police Act, 1848," "The Edinburgh Police Amendment Act, 1854," and "The Edinburgh Municipality Extension Act, 1856;" and the adopted Clauses of the said "General Police and Improvement (Scotland) Act, 1862;" and the said Officer shall, for the Purposes of the said Acts, be termed the "Burgh Engineer:"

The Word "Constable" shall mean and include the Superintendent of Police, and all Lieutenants, Sergeants, Constables, and other Officers of Police appointed in virtue of Section 74 of "The Edinburgh Police Act, 1848:"

The Word "Person," and Words applying to any Person or Individual, shall apply to and include Companies and Corporations:

The Word "Owner" shall include Joint Owner, Fiar, Liferenter, Feuar, or other Person in the actual Possession or Receipt of the Rents of Tenements, Lands, and Heritages of every Tenure or Description, and the Factor, Agent, or Commissioner of such Persons, or any of them, or any other Person who shall intromit with or draw the Rents:

The Word "Occupier" shall include Tenant and Sub-tenant, and the actual Possessor of any Lands or Premises, but shall not include a Lodger or Person in the Occupation as Tenant of a furnished House let for a less Period than One Year, but shall include the Person by whom such furnished House is so let:

The Word "Lands," and the Word "Premises," shall include all Lands, Springs, Rights of Servitude, Dwelling Houses, Shops, Warehouses, Vaults, Cellars, Stables, Breweries, Manufactories, Mills, and the fixed or attached Machinery therein, Yards, Places, and other Heritages specified or included in the Act of the Seventeenth and Eighteenth Victoria, Chapter Ninety-one, intituled "An Act for the Valuation of Lands and Heritages in Scotland:"

The

The Expression "Private Improvement Assessment" shall mean any Assessment or Charge on any Person for Private Improvement Expenses under the Provisions hereof, or of any Local or General Act in force within the Burgh:

The Expression "District Assessment" shall mean any Assessment or Charge (other than a "Private Improvement Assessment") which is confined only to a Portion or District of the Burgh:

The Word "Broker" or "Brokers" shall extend to and include any Person or Persons dealing in Second-hand Goods or Articles, or in Woollen Yarn or Waste, or in other unwrought Woollen Materials, or in old Metals, Bones, or Rags.

SCHEDULE (A.)

Attestation by Collector, Application to Sheriff, and Warrant, to be written at the End of each Volume of the Roll or Book of Assessment.

(1.) *Attestation by Collector.*

I *A.B.* Collector of Police Assessments and also Collector of the Assessments for [Prisons, Registration of Births, Deaths, and Marriages, Registration of Voters, Militia Purposes, Valuation of Lands and Heritages, &c., *as the Case may be*,] for the Burgh of Edinburgh, do hereby certify, That this is the [First, Second, *or* Third, *as the Case may be*] Volume of the Books of Assessments according to which the Police Assessment and other Assessments [and Rates, *as the Case may be*] above specified are leviable from the Persons and others therein named for the Year from to that the said Assessments [and Rates, *as the Case may be*] became due and payable as follows, viz. [*here specify the Dates on which the several Assessments and Rates respectively become payable*], that certain of the Persons and others assessed in the said Book have failed to pay the said Assessments [and Rates, *as the Case may be*] or a Portion thereof, notwithstanding of the same having been demanded from them by Notices from me delivered to or left for them on the Premises assessed, or at the Dwelling Houses or Places of Business of such Persons; and that the Persons and others named in this Volume who have so failed to pay the said Assessments [and Rates, *as the Case may be*], or a Portion thereof, are those against whose Names respectively the Charges in this Volume remain unpaid or otherwise undischarged at this Date.

A.B., Collector.

Edinburgh, [*Date.*]

(2.) *Application to Sheriff.*

To the Honourable the Sheriff of the County of Mid-Lothian *or* his Substitute.

The Petition of *A.B.*, Collector of Police Assessments, and also Collector of the Assessments for [Prisons, Registration of Births, Deaths, and Marriages, Registration of Voters, Militia Purposes, Valuation of Lands and Heritages, &c. *as the Case may be*,] for the Burgh of Edinburgh;

Humbly sheweth,

That by the Acts of Parliament [*here refer to them*] certain Police Assessments and other Assessments [and Rates] are authorized to be levied in the Burgh of Edinburgh.

That in Terms of said Act [*or* Acts] Assessment Books for levying the said Assessments [and Rates] for the Year from to

were made up and delivered to the Petitioner, in order to his levying and collecting the Sums set opposite the Names of the Persons and others respectively therein entered, of which Assessment Books this is the Volume.

That the said Assessments [and Rates] became due and payable as follow [*here specify the Dates on which the several Assessments and Rates become payable*].

That by the Attestation of the Petitioner hereunto prefixed it appears that certain of the Persons so assessed have failed to pay the said Assessments [and Rates], or a Portion thereof, notwithstanding of the same having been demanded from them by Notices from the Petitioner delivered to or left for them on the Premises assessed, or at their Dwelling Houses or Places of Business, and that the Persons named in this Volume who have so failed to pay are those against whose Names respectively the Charges in this Volume remain unpaid or otherwise undischarged in whole or in part at the Date of the said Attestation.

That the said Persons who have failed to pay the Police Assessments charged against them, or a Portion thereof, on or before the First Day of March, have incurred in addition a Penalty of One Penny upon each Pound of the Rental of the Premises in respect of which they are assessed in Terms of the said Act [*here refer to it*].

That in these Circumstances it becomes necessary to apply to your Lordship for Warrant to the following Effect:—

May it therefore please your Lordship to grant summary Warrant against the Persons who have failed in Payment as aforesaid for Recovery of the said Assessments [and Rates] so remaining unpaid in whole or in part, and Penalty aforesaid, and to authorize Messengers-at-Arms or Officers of Court to enter the House, Place of Business, or other Premises of the Persons who have failed in Payment as aforesaid, and upon Presentment, if asked only, of the said Warrant or a Copy thereof certified by the Sheriff Clerk of the County of Mid-Lothian, along with the Receipts of the Collector for the several Assessments [and Rates] wholly or partly in arrear by such Persons respectively, and failing Payment being immediately made of the Assessments [and Rates] in arrear and Penalty aforesaid, together with the Expense of obtaining said Warrant, and the Fees and Charges of the Messenger or Officer, to seize, take possession of, and, if such Messenger or Officer shall think proper, to remove so much of the Goods and Effects therein as shall appear to such Messenger or Officer to be sufficient for satisfying out of the Proceeds of the Sale thereof the said Assessments [and Rates] remaining unpaid, and Penalty, with the Costs and Charges incurred or to be incurred in obtaining and carrying into execution the Warrant which may be granted hereon against said Persons respectively, and for these Purposes to authorize the said Messenger or Officer to open shut and lockfast Places; and further, to authorize the said Messenger or Officer, if the said Assessments [and Rates] and Penalty, together with said Costs and Charges, shall not be paid within Three Days next after Seizure is made as aforesaid, to sell the said Goods and Effects so seized by Public Roup, either on the Premises in which the same were so seized, or at the Market Cross of the said Burgh, or in such other Place as your Lordship may appoint, returning the Surplus of the Price, if any be, and also any of such Goods and Effects as it may be found unnecessary to sell, after Payment of the said Assessments [and Rates] and Penalty, together with the Costs and Charges incurred in obtaining and carrying the said Warrant into execution, and of such Sale, to the Owner of the said Goods and Effects.

(Signed) *A.B.*, Collector.

Edinburgh Provisional Order Confirmation.

(3.) *Warrant.*

Edinburgh, (*Date.*) The Sheriff [*or* Sheriff Substitute, *as the Case may be*,] having considered the foregoing Application and Attestation, grants Warrant as craved.

(Signed) *C.D.*

Whitehall, 6th June 1867. (L.S.) (Signed) GATHORNE HARDY.

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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Enactment hereby repealed, such Repeal, Confirmation, Revivor, or Perpetuation shall not be affected by the Repeal effected by this Act;

and the Repeal by this Act of any Enactment shall not affect any Act in which such Enactment has been applied, incorporated, or referred to;

nor shall such Repeal of any Enactment affect any Right to any Hereditary Revenues of the Crown, or affect any Charges thereupon, or prevent any such Enactment from being put in force for the Collection of any such Revenues, or otherwise in relation thereto;

and this Act shall not affect the Validity, Invalidity, Effect, or Consequences of anything already done or suffered,—or any existing Status or Capacity,—or any Right or Title already acquired or accrued, or any Remedy or Proceeding in respect thereof,—or any Release or Discharge of or from any Debt, Penalty, Claim, or Demand,—or any Indemnity,—or the Proof of any past Act or Thing;

nor shall this Act affect any Principle or Rule of Law or Equity, or established Jurisdiction, Form or Course of Pleading, Practice, or Procedure, or existing Usage, Franchise, Liberty, Custom, Privilege, Restriction, Exemption, Office, Appointment, Payment, or Emolument, notwithstanding that the same respectively may have been in any Manner affirmed, recognized, or derived by, in, or from any Enactment hereby repealed;

nor shall this Act revive or restore any Jurisdiction, Office, Duty, Drawback, Fee, Payment, Franchise, Liberty, Custom, Right, Title, Privilege, Restriction, Exemption, Usage, Practice, or Procedure not now existing or in force;

and this Act shall not extend to repeal any Enactment so far as the same may be in force in any Part of Her Majesty's Dominions out of the United Kingdom, except where otherwise expressed in the said Schedule.

Short Title.

2. This Act may be cited as The Statute Law Revision Act, 1867.

SCHE-

SCHEDULE.

This Schedule, so far as respects Acts of the Reigns of William and Mary, William the Third, and Anne, refers throughout to the Edition prepared under the Direction of the Record Commission, intituled "The Statutes of the Realm; printed by Command "of His Majesty King George the Third, in pursuance of an Address of the House of "Commons of Great Britain. From original Records and authentic Manuscripts."

This Schedule, so far as respects Acts of any Reign subsequent to that of Anne, refers to the different Sessions in the same manner as they are referred to in Ruffhead's Edition of the Statutes by Serjeant Runnington, 1786; and in referring to any Section of an Act by its Number, follows the Numbering of Sections in that Edition wherever they are there numbered.

A Description or Citation of a portion of an Act is inclusive of the Words, Section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the Description or Citation.

The Edition of Ruffhead referred to in the Foot-notes is that above mentioned.

William and Mary.

1 Gul. & Mar. c. 1. in part.	An Act for removeing and Preventing all Questions and Disputes concerning the Assembling and Sitting of this present Parlyament - - - - } in part; namely,— Sections Four and Five (1).
c. 2.	An Act for Impowering His Majestie to Apprehend and Detaine such Persons as He shall finde just Cause to Suspect are Conspireing against the Government.
c. 3.	An Act for the granting a p̄sent Ayd to Their Majestyes.
c. 4.	An Act for Reviveing of Actions and Processe lately Depending in the Courts at Westminster and Discontinued by the not holding of Hillary Terme and for supplying other Defects relateing to Proceedings at Law.
c. 5.	An Act for punishing Officers or Soldiers who shall Mutiny or Desert Their Majestyes Service.
c. 7.	An Act for Impowering His Majestie to Apprehend and Detaine such Persons as He shall finde Just Cause to Suspect are Conspireing against the Government.
c. 8. in part.	An Act for the Abrogating of the Oathes of Supremacy and Allegiance and Appointing other Oathes - } in part; namely,— Section Three from "All and every Arch-Bishop" to end of that Section, Sections Six to Eight, Ten, and Section Fourteen to end of Act.
c. 10.	An Act for the takeing away the Revenue ariseing by Hearth-Money.

(1) Sections 5. to 8. in Ruffhead's Edition.

Statute Law Revision.

c. 13.	An Act for Raising Money by a Poll and otherwise towards the Reduceing of Ireland.
c. 14.	An Act for preventing Doubts and Questions concerning the Collecting the Publique Revenue.
c. 18. in part.	An Act for Exempting their Majestyes Protestant Subjects dissenting from the Church of England from the Penalties of certaine Lawes - - - - - in part; namely,— Section Two (1).
c. 19.	An Act for Impowering Their Majestyes to Committ without Baile such Persons as They shall finde Just Cause to suspect are Conspireing against the Government.
c. 20.	An Act for a Grant to Their Majestyes of an Ayde of Twelve pence in the Pound for One Yeare for the necessary Defence of Their Realmes.
c. 22.	An Act for the Exportation of Beere, Ale, Syder and Mum.
c. 23.	An Act for Reviveing two former Acts for Exporting of Leather.
c. 24.	An Act for an Additionall Duty of [Essise] upon Beere Ale and other Liquors.
c. 25.	An Act to Regulate the Administracon of the Oathes required to be taken by Commission or Warrant Officers imployed in their Majestyes Service by Land by Vertue of an Act made this present Session of Parliament Entituled An Act for the Abrogating of the Oaths of Supremacy and Allegiance and appointing other Oaths.
c. 26. in part.	An Act to vest in the two Universities the Presentations of Benefices belonging to Papists - - - - in part; namely,— Section One (2), and Section Two from "Provided nevertheless" to end of that Section (3).
c. 27.	An Act for takeing away the Court holden before the President and Councill of the Marches of Wales.
c. 28.	An Act for Appropriating certaine Duties for paying the States Generall of the United Provinces their Charges for His Majesties Expedition into this Kingdome and for other Uses.
c. 29.	An Act for Reliefe of the Protestant Irish Clergy.
c. 30. in part.	An Act to Repeale the Statute made in the fifth yeare of King Henry the Fourth against [the] Multiplying Gold and Silver - - :— Except the last Section.
c. 31.	An Additionall Act for the Appointing Commissioners for the Executing an Act of this present Parliament Entituled An Act for a Grant to their Majestyes of an Ayde of Twelve Pence in the Pound for One Yeare for the necessary Defence of their Realmes.
c. 32.	An Act for the better preventing the Exportation of Woole and Encourageing the Woollen Manufactures of this Kingdome.
c. 33.	An Act for Explaining part of an Act made in the first yeare of King James the First concerning Tanned Leather.
c. 34.	An Act for Prohibiting all Trade and Commerce with France.
1 Gul. & Mar. Sess. 2. c. 1.	An Act for a Grant to Their Majestyes of an Ayd of Two shillings in the Pound for One Yeare.
c. 2. in part.	An Act declareing the Rights and Liberties of the Subject and Setleing the Succession of the Crowne - in part; namely,— Section Three (4).
c. 3.	An Act for preventing all Doubts and Questions concerning the Collecting the Publique Revenue.
c. 4.	An Act for punishing Officers or Soldiers who shall Mutiny or Desert Their Majestyes Service and for punishing False Musters.

(1) Section 3. in Ruffhead's Edition.
(2) This part of Section 2. forms Section 7. in Ruffhead's Edition.
(3) Section 2. in Ruffhead's Edition.
(4) Section 13. in Ruffhead's Edition.

c. 5.	An Act for a Grant to Their Majestyes of an Additionall Ayd of Twelve Pence in the Pound for One Yeare.
c. 6.	An Act for the Charging and Collecting the Duties upon Coffee Tea and Chocolate at the Custome-House.
c. 7.	An Act for Review of the late Poll Granted to Their Majestyes and for an Additionall Poll towards the Reduceing of Ireland.
c. 8.	An Act for ꝑventing vexatious Suits against such as acted in order to the bringing in their Majestyes or for their Service.
2 Gul. & Mar. (1) c. 2.	An Act for Raising Money by a Poll and otherwise towards the Reduceing of Ireland and Prosecuting the Warr against France.
c. 3.	An Act for granting to their Majestyes for their Lives and the Life of the Survivour of them certaine Impositions upon Beere Ale and other Liquors.
c. 4.	An Act for granting to Their Majesties a Subsidie of Tonnage and Poundage and other Sums of Money payable upon Merchandizes Exported and Imported.
c. 6.	An Act for the Exercise of the Government by her Majestie dureing his Majestyes Absence.
c. 7.	An Act to Declare the Right and Freedome of Election of Members to serve in Parlyament for the Cinque-Ports.
c. 10.	An Act for the King and Queens most Gracious Generall and Free Pardon.
2 Gul. & Mar. Sess. 2. c. 1.	An Act for Granting an Ayd to Their Majestyes of the Summe of Sixteene hundred fifty one thousand seaven hundred and two pounds eighteene shillings.
c. 3.	An Act for doubling the Duty of Excise upon Beere Ale and other Liquors dureing the space of one yeare.
c. 4.	An Act for granting to their Majesties certaine Impositions upon all East India Goods and Manufactures and upon all wrought Silks and severall other Goods and Merchandize to be imported after the five and twentyeth day of December one thousand six hundred and ninety.
c. 5.	An Act for the Continuance of severall former Acts therein mentioned for the laying severall Duties upon Wines Vinegar and Tobacco.
c. 6.	An Act for Punishing Officers and Soldiers who shall mutiny or desert their Majestyes Service and for punishing false Musters.
c. 7.	An Act for Reviveing a former Act for Regulating the Measures and Prices of Coales.
c. 9.	An Act for the Encourageing the Distilling of Brandy and Spirits from Corne and for laying severall Dutyes on Low Wines or Spirits of the first Extraction.
c. 10.	An Act for Granting to their Majesties severall Additionall Duties of Excise upon Beere Ale and other Liquors for foure yeares from the time that an Act for doubling the Duty of Excise upon Beere Ale and other Liquors dureing the space of one yeare doth expire.
c. 11.	An Act for Appointing and Enabling Commissioners to Examine Take and State the Publicke Accounts of the Kingdome.
c. 12.	An Act for the Raising the Militia of this Kingdome for the Yeare One thousand six hundred ninety and one although the Months Pay formerly Advanced be not Repaid.
c. 13.	An Act for preventing Vexatious Suites against such as acted for Their Majestyes Service in defence of the Kingdome.
c. 14.	An Act for the more effectuall puting in Execution an Act Entituled An Act for Prohibiting all Trade and Commerce with France.
c. 15.	An Act for Reliefe of poore Prisoners for Debt or Damages.

(1) 2 Gul. & Mar. Sess. 1. in Ruffhead's Edition.

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3 Gul. & Mar. c. 1.	An Act for granting to Their Majesties certain Impositions upon Beere Ale and other Liquors for One Year.
c. 3.	An Act for the better Ascertaining the Tythes of Hemp and Flax.
c. 4.	An Act for Preserving Two Ships Lading of Bay Salt taken as Prize for the Benefitt of Their Majesties Navy.
c. 5.	An Act for Granting an Aid to Their Majesties of the Sume of Sixteene hundred fifty one thousand seven hundred and two pounde eighteen shillinge towarde the Carrying on a Vigorous Warre against France.
c. 6.	An Act for raiseing money by a Poll payable quarterly for One year for the carrying on a vigorous War against France.
c. 7.	An Act for raising the Militia of this Kingdom for the Year One thousand six hundred ninety and two although the Months Pay formerly advanced be not repaid.
c. 8.	An Act for the Encouragement of the breeding and feeding of Cattell.
c. 11. in part.	An Act for the better Explanation and supplying the Defecte of the former Laws for the Settlement of the Poor - - - - - - - - - in part; namely,— Sections One to Four (1), Section Five (2) from "shall for" to "year or," and Sections Six (3) and Twelve.
c. 12.	An Act for the better repairing and amending the Highways and for settling the Rates of Carriage of Goode.
c. 13.	An Act against corresponding with Their Majestics Enemies.
c. 15.	An Act for the better ordering and collecting the Duty upon Low Wines and Strong [Wates] and preventing the Abuses therein.
4 Gul. & Mar. c. 1.	An Act for granting to Their Majesties an Aid of Foure Shillinge in the Pound for One yeare for carrying on a vigorous War against France.
c. 2.	An Act [for] that the Inhabitants of the pvince of York may dispose of their personal Estates [by their Wille] notwithstanding the Custom of that pvince.
c. 3.	An Act for granting to Their Majesties certain Rates and Duties of Excise upon Beer Ale and other Liquors for secureing certain Recompences and Advantages in the said Act mencõed to such Persons as shall voluntarily advance the Sume of Ten hundred thousand Pounds towards carrying on the War against France.
c. 5.	An Act for granting to Their Majesties certain additional Impositions upon several Goode and Merchandize for the prosecuting the present War against France.
c. 6.	An Act for raising the Militia of this Kingdom for the yeare One thousand six hundred ninety & three although the Months Pay formerly advanced be not repaid.
c. 11.	An Act for examineing takeing and stateing the publick Accompte of this Kingdom.
c. 12.	An Act to make Parishioners of the Church united Contributors to the Repairs and Ornamente of the Church to whome the Union is made. Except as to Churches united before the passing of 1 & 2 Vict. c. 106.
c. 13.	An Act for punishing Officers and Soldiers who shall mutiny or desert Therr Majesties Service and for punishing False Musters and for the payment of Quarters.
c. 14.	An Act for review of the Quarterly Poll granted to Their Majesties in the last Session of this present Parliament.
c. 15.	An Act for continueing certaine Acte therein mencõed and for chargeing several Joynt Stocke.
c. 17. (4)	An Act for the regaining encourageing and settling the Greenland Trade.

(1) Sections 2. to 5. in Ruffhead's Edition.
(2) Section 6. in Ruffhead's Edition.
(3) Section 7. in Ruffhead's Edition.
(4) The Acts in the Statutes of the Realm given as of 4 Gul. & Mar. are from Chapter 17. inclusive given in the running headings of Ruffhead's Edition as of 4 & 5 Gul. & Mar.

Statute Law Revision.

c. 19.	An Act for preventing Suitꝭ against such as acted for Their Majesties Service in Defence of the Kingdom.
c. 20.	An Act for the better discovery of Judgmentꝭ in the Courts of Kings Bench Cõmon Pleas & Exchequer att Westminster.
c. 21.	An Act for delivering Declaracõns to Prisoners.
c. 22. in part.	An Act for regulateing Proceedingꝭ in the Crowne Office of the Court of Kingꝭ Bench att Westminster - } in part; namely,— The last Section.
c. 24. in part.	An Act for reviving cõtinuing and explaining several Laws therein mentioned [that] are expired and neare expiring - - - } :— Except Sections Four (1) and Twelve (2).
c. 25.	An Act for continuing the Actꝭ for prohibiting all Trade and Cõmerce with France and for the encouragement of Privateers.
5 (3) Gul. & Mar. c. 1.	An Act for granting to Their Majesties an Aid of Foure Shillingꝭ in the Pound for One yeare for carrying on a vigorous War against France.
c. 2.	An Act for repealing such partꝭ of several former Actꝭ as prevent or prohibit the importacõn of Forreign Brandy Aqua vite and other Spiritꝭ and Bacon except from France.
c. 3.	An Act for the importation of fine Italian Sicilian and Naples Thrown Silke.
c. 5.	An Act to supply the deficiency of the money raised by a former Act entituled An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer Ale and other Liquors for secureing certaine Recompences and Advantages [in the said Act mencõned] to such persons as shall voluntarily advance the sũm of Ten hundred thousand [pondꝭ] towardꝭ carrying on the Warr against France.
c. 7. in part.	An Act for granting to their Majesties certain Rates and Duties upon Salt and upon Beer Ale and other Liquors for secureing certaine Recompences and Avantages in the said Act mencõed to such Persons as shall voluntarily advance the sũm of Ten hundred thousand Poundꝭ towardꝭ carrying on the Warr against France - - - } :— Except the last Section.
5 & 6 (4) Gul. & Mar. c. 8.	An Act for the explaining and for the more effectual execution of a former Act for the relief of poor Prisoners.
c. 9.	An Act for repeal of a Clause in the Statute of the Fifth yeare of Queen Elizabeth (containing diverse Orders for Artificers and others) which relates to Weavers of Cloath.
c. 11. in part.	An Act to prevent Delays of Proceedingꝭ att the Quarter Sessions of the Peace - - - } in part; namely,— The last Section.
c. 12.	An Act to take away the Processe for the Capiatur Fine in the several Courts att Westminster.
c. 14.	An Act for raiseing money by a Poll payable quarterly for One yeare for carrying on a vigorous Warr against France.
c. 15.	An Act for continuing the Act for punishing Officers and Souldiers who shall mutiny or desert their Maj.ties. Service and for punishing false Musters and for the Payment of Quarters for One Yeare longer.
c. 16.	An Act for the Importation of Salt-Petre for One Yeare.
c. 17.	An Act for the Exportation of Iron, Copper and Mundick Mettal.

(1) Section 5. in Ruffhead's Edition.
(2) Section 12. from the words "And forasmuch" to end of that Section in Ruffhead's Edition.
(3) The Acts in the Statutes of the Realm given as of 5 and of 5 & 6 Gul. & Mar. are in Ruffhead's Edition given in the general and principal heading as of 5 & 6 Gul. & Mar., but in the running headings as of 5 Gul. & Mar.
(4) See Foot Note in this Schedule to 5 Gul. & Mar. c. 1.

c. 19.	An Act for raiseing the Militia of this Kingdome for the yeare One thousand six hundred ninety four although the Moneths Pay formerly advanced be not repayed.
c. 20. in part.	An Act for granting to theire Majesties severall Rates and Duties upon Tunnage of Shipps and Vessells and upon Beere Ale and other Liquors for secureing certaine Recompenses and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the sūme of Fifteene hundred thousand pounde toward the carrying on the Warr against France - - - - - - } in part; namely,— Sections One to Fifteen (1), Seventeen (2), Section Eighteen (3) to "the sūme of Fifteene hundred thousand pounde," Section Twenty (4) to "per Centum per Annū," Sections Twenty-two to Twenty-four (5), Thirty-three (6), and Section Thirty-five (7) to end of Act.
c. 22.	An Act for the lycenseing and regulateing Hackney-Coaches and Stage-Coaches.
c. 23.	An Act for appointing and enableing Cōmissioners to examine take and state the Publicke Accompte of the Kingdome.
c. 24.	An Act for building good and defensible Shipps.
c. 25.	An Act for the better discipline of theire Majesties Navy Royall.
6 & 7 Gul. & Mar. (8) c. 1.	An Act for granting to their Majesties a Subsidy of Tonnage and Poundage and other sūms of money payable upon Merchandizes exported and imported.
c. 2. in part.	An Act for the frequent Meeting and calling of Parliaments - - - - - - - } in part; namely,— Sections Three and Four.
c. 3.	An Act for granting to his Majestie an Aide of Four shillinge in the Pound for One Yeare and for applying the yearely sūme of Three hundred thousand Pounde for Five yeares out of the Dutyes of Tunnage and Poundage and other sūmes of money payable upon Merchandizes exported and imported for carrying on the Warr against France with vigour.
c. 4. in part.	An Act for exempting Apothecaries from serving the offices of Constable Scavenger and other Parish and Ward Offices and from serving upon Juries - - } in part; namely,— Section Two from "Provided always" to end of that Section, and the last Section (9).
c. 5.	An Act for enabling such persons as have Estates for life in Annuities payable by several former Acte therein mencōed to purchase and obtaine further or more certaine interest in such Annuities and in default thereof for admitting other persons to purchase or obtaine the same for raiseing moneys for carrying one the Warr against France.
c. 6. in part.	An Act for granting to his Majesty certaine rates and duties upon Marriages Births and Burial and upon Batchelors and Widowers for the terme of Five yeares for carrying on the Warr against France with Vigour. } :— Except Sections Twenty and Forty-seven (10).
c. 7.	An Act for granting to his Majestie several additional Duties upon Coffee Tea Chocolate and Spices toward satisfaction of the debt due for Transport Service for the reduction of Ireland.

(1) Sections 2. to 16. in Ruffhead's Edition.
(2) Section 18. in Ruffhead's Edition.
(3) Section 19. in Ruffhead's Edition.
(4) Section 21. in Ruffhead's Edition.
(5) Sections 23. to 25. in Ruffhead's Edition.
(6) Section 34. in Ruffhead's Edition.
(7) Section 36. in Ruffhead's Edition.
(8) The Acts in the Statutes of the Realm given as of 6 & 7 Gul. & Mar. are in the running headings of Ruffhead's Edition to Chapter 4 inclusive given as of 6 Gul. & Mar., and thence as of 6 & 7 Gul. 3.
(9) The part of Section 2. here specified and the last Section form the last part of Section 3. in Ruffhead's Edition.
(10) Sections 24. and 52. in Ruffhead's Edition.

Statute Law Revision.

c. 8.	An Act for continuing Two former Acts for punishing Officers and Soldiers who shall mutiny or desert his Majesties service & for punishing false musters and for payment of quarters for one yeare longer.
c. 9.	An Act for appointing and enableing Commissioners to examine take and state the Publick Accountꝭ.
c. 12. in part.	An Act for explaineing and regulateing several Doubtꝭ Duties and Penalties in the late Act for granting several Duties upon Velum Parchment and Paper and for ascertaineing the Admeasurement of the Tunnage of Ships - - - - - - - - - - in part; namely,— The last two Sections.
c. 13.	An Act for raiseing the Militia of this Kingdome for the Yeare One thousand six hundred ninety five and for repealing the Statute of the Second & Third Yeare of King Edward the Sixth intituled An Act against shooting in Hail-Shot.
c. 14.	An Act for continuing several Laws therein mentioned.
c. 17.	An Act to prevent counterfeiting and clipping the coine of this Kingdom.
c. 18.	An Act for granting to his Majestie certaine duties upon glasse wares stone and earthen bottles coals and culme for carrying on the Warr against France.
c. 20.	An Act for the Kingꝭ most gracious general and free pardon.
7 & 8 Gul. 3. c. 1.	An Act for remedying the Ill State of the Coin of the Kingdome.
c. 2.	An Act for enlargeing the Times to come [in] and pʳchase certain Annuities therein mentioned and for continuing the Duties formerly charged on Low Wines or Spiritꝭ of the first extraction for carrying on the Warr against France.
c. 3. in part.	An Act for regulateing of Tryals in Cases of Treason and Misprision of Treason - - - - - in part; namely,— Section Five from "And that no Person" to end of that Section (1), and the last Section.
c. 5.	An Act for granting to His Majesty an Aid of Four Shillingꝭ in the Pound for carrying on the War against France.
c. 6. in part.	An Act for the more easie Recoverie of Small Tythes - - in part; namely,— Sections Eleven and Fifteen.
c. 7. in part.	An Act to prevent False and Double Returns of Members to serve in Parliament - - - - - in part; namely,— The last Section.
c. 8.	An Act for the taking examining and stating the Publick Accountꝭ.
c. 10.	An Act for continuing several Duties granted by former Actꝭ upon Wine and Vinegar and upon Tobacco and East India Goodꝭ and other Merchandize imported for carrying on the Warr against France.
c. 11.	An Act for impowering His Majestie to apprehend and detain such psons as hee shall find Cause to suspect are conspiring against His Royal Person or Government.
c. 12.	An Act for Relief of Poor Prisoners for Debt or Damages.
c. 13.	An Act for taking off the Obligation and Incouragement for coining Guineas for a certaine time therein mentioned.
c. 15.	An Act for the continueing meeting and sitting of a Parliament in case of the Death or Demise of His Majesty His Heirs and Successors.
c. 16.	An Act for raiseing the Militia of this Kingdom for the Year One thousand six hundred ninety six although the Months Pay formerly advanced bee not repaid.

(1) This part of Section 5. forms the first part of Section 6. in Ruffhead's Edition.

c. 17.	An Act to continue Foure former Acts for preventing Theft and Rapine upon the Northerne Borders of England.
c. 18.	An Act for granting to His Majesty severall Rates or Duties upon Houses for making good the Deficiency of the clipped Money.
c. 19.	An Act to incourage the bringing Plate into the Mint to be coined and for the further remedying the ill State of the Coine of the Kingdome.
c. 20.	An Act for granting to His Majesty an additionall Duty upon all French Goods and Merchandize.
c. 22.	An Act for preventing Frauds and regulating Abuses in the Plantation Trade. Repealed as to all Her Majesty's Dominions.
c. 23.	An Act for continueing severall former Acts for punishing Officers and Soldiers who shall Mutiny or Desert His Majesties Service and for punishing False Musters and for Payment of Quarters for One Yeare longer.
c. 24.	An Act requireing the Practicers of Law to take the Oaths and subscribe the Declaration therein mentioned.
c. 25. in part.	An Act for the further regulating Elections of Members to serve in Parliament and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members - - } in part; namely,— Section One from "and shall forthwith" to end of that Section, Section Three from "and shall there proceed to Election" to "Place of Election," Section Six (1) to "Mortgage or Trust," and the last Section.
c. 27.	An Act for the better Security of His Majties. Royal Person and Government.
c. 28.	An Act for the more effcual preventing the Exportacon of Wooll and for [the] incouraging the Importation thereof from Ireland.
c. 30.	An Act for laying several Duties upon Low Wines or Spiritȩ of the first Extraction and for preventing the Fraudȩ and Abuses of Brewers Distillers and other Persons chargeable with the Duties of Excise.
c. 31.	An Act for continuing to His Majesty certaine Duties upon Salt Glass Wares Stone and Earthen Wares and for granting several Duties upon Tobacco Pipes and other Earthen Wares for carrying on the Warr against France and for establishing a National Land Bank and for taking off the Duties upon Tunnage of Shipps and upon Coals.
c. 33.	An Act for the better Incouragement of the Greenland Trade.
c. 34. in part.	An Act that the Solemne Affirmation & Declaration of the People called Quakers shall be accepted instead of an Oath in the usual Forme - } :— Except Sections Three and Four (2).
c. 35. in part.	An Act for the inforcing the Laws which restraine Marriages without Licence or Banns & for the better registring Marriagȩ Births and Burials - - } in part; namely,— Section Four (3) to end of Act.
c. 36.	An Act for continuing several Acts of Parliamt. therein mentioned.
c. 38.	An Act to take away the Custome of Wales which hinders psons from disposeing their Personal Estates by their Wills.
c. 39.	An Act for encourageing the Linen Manufacture of Ireland and bringing Flax and Hemp into and the making of Sail Cloth in this Kingdome.
8 & 9 (4) Gul. 3. c. 1.	An Act for importing and coining Guineas and Halfe-guineas.
c. 2.	An Act for the further remedying the ill State of the Coin of the Kingdome.
c. 3.	An Act to explain that part of the Act passed last Session of Parliament for laying several Duties on Low Wines & Spiritȩ of the first Extraction and for preventing the Fraudȩ and Abuses of Brewers Distillers and other Persons chargeable with the Duties of Excise which relates to the Payment of Tallies & the Interest thereof.

(1) Section 7. in Ruffhead's Edition.
(2) These are Sections 4. and 5. in Ruffhead's Edition.
(3) Section 5. in Ruffhead's Edition.
(4) The Acts in the Statutes of the Realm given as of 8 & 9 Gul. 3. are in Ruffhead's Edition given in the general and principal heading, and to Chapter 8. inclusive in the running headings, as of 8 Gul. 3.

Statute Law Revision.

c. 6.	An Act for granting an Aid to His Majesty as well by a Land Tax as by several Subsidies and other Duties payable for One Yeare.
c. 7.	An Act for granting to His Majesty several Duties upon Paper Vellum and Parchment to encourage the bringing of Plate and hãmered Money into the Mintꝭ to be coined.
c. 8. in part.	An Act for Incouraging the bringing in wrought Plate to be coined :— Except Section Eight (1).
c. 9.	An Act to restore the Markett att Blackwell-Hall to the Clothiers & for regulating the Factors there.
c. 10.	An Act to enable the Returns of Juries as formerly until the First Day of November One thousand six hundred ninety seven.
c. 12.	An Act for continuing several additional Impositions upon several Goodꝭ and Merchandizes.
c. 13.	An Act for continuing several former Actꝭ for punishing Officers and Soldiers who shall mutiny or desert His Majesties Service and for punishing false Musters and for Payment of Quarters for One Yeare longer.
c. 19.	An Act for repealing a Clause in a former Act relateing to Party Guiles and for the better preventing Fraudꝭ and Abuses [in] Brewers and others chargeable with the Duties of Excise.
c. 20. in part.	An Act for making good the Deficiences of several Fundꝭ therein mentioned and for enlargeing the Capital Stock of the Bank of England and for raising the Publick Creditt - - - - - } in part; namely,— Sections One to Twenty-five, Twenty-nine, Thirty-eight to Forty-four, Fifty, Fifty-one, Fifty-three to Sixty-one, Sixty-three to Sixty-eight, Seventy and Seventy-one.
c. 21.	An Act for laying a Duty upon Leather for the Terme of Three Yeares and making other Provision for answering the Deficiences as well of the late Duties upon Coals & Culme as for paying the Anũities upon the Lottery and for Lives charged on the Tũnage of Ships and the Duties upon Salt.
c. 22.	An Act for granting to His Majesty certain Duties upon Malt Mum Sweetꝭ Cyder & Perry as well towardꝭ carrying on the Warr against France as for the necessary Occasions of His Maj.ties Household & other Occasions.
c. 24.	An Act for granting to His Majesty a further Subsidy of Tunnage and Poundage upon Merchandizes imported for the Terme of Two Yeares & Three Quarters & an additional Land Tax for One Yeare for carrying on the Warr against France.
c. 25.	An Act for licensing Hawkers and Pedlars for a further ꝓvision for the Payment of the Interest of the Transport Debt for the reducing of Ireland.
c. 27. in part.	An Act for the more effectual Relief of Creditors in Cases of Escapes & for ꝓventing Abuses in Prisons and pretended priveledged Places - - - } in part; namely,— Sections One, Three, Five, Ten to Fifteen, and Section Eighteen to end of Act.
c. 30. in part.	An Act for supplying some Defectꝭ in the Laws for the Relief of the Poor of this Kingdome - - - } in part; namely,— Sections One, Four and Seven.
c. 31.	An Act for the easier obtaining Partition of Landꝭ in Coparcenary Joynt Tenancy & Tenancy in Common.
c. 32.	An Act to restraine the Number and ill Practice of Brokers and Stock-Jobbers.
c. 33. in part.	An Act to make ꝓpetual and more effectual an Act intituled An Act to prevent Delays att the Quarter Sessions of the Peace - - - - } in part; namely,— Section One.

(1) Section 9. in Ruffhead's Edition.

Statute Law Revision.

c. 34.	An Act for the lessening the Duty upon Tin and Pewter exported and granting an Equivalent for the same by a Duty upon Druggꝙ.
c. 35.	An Act for raiseing the Militia for the Yeare One thousand six hundred ninety seven although the Months Pay formerly advanced be not repaid.
c. 36.	An Act for the further Encouragement of the Manufacture of Lustringꝙ and Alamodes within this Realme and for the better preventing the Importation of the same.
9 Gul. 3. c. 1.	An Act against corresponding with the late King James and his Adherentꝙ.
c. 2.	An Act to prevent the further Currency of any hamered Silver Coine of this Kingdome & for recoining such as is now in being and for the making out new Exchequer Bills where the former Bills are or shall be filled upp by Indorsementꝙ.
c. 3. in part.	An Act to give further time for the administring of Oaths relating to Talleys & Orders and for the easier dispatch of the Publick Businesse in the Exchequer & in the Bank of England - - - - :— Except Section Four.
c. 4.	An Act for continuing the Imprisonment of Counter and others for the late horrid Conspiracy to assassinate the ꝑson of His Sacred Majesty.
c. 5.	An Act for satisfying and discharging the Arreares of several Annuities which incurred betweene the Seventeenth Day of May One thousand six hundred ninety six and the Seventeenth Day of May One thosand six hundred ninety seven.
c. 6. (1)	An Act that all Retailers of Salt shall sell by Weight.
c. 8.	An Act for explaineing an Act made the last Session of Parliament for granting to His Majesty certaine Duties upon Malt Mum Sweetꝙ Cyder & Perry.
c. 9.	An Act for rendring the Laws more effectual for preventing the Importation of Forreign Bone-Lace Loom-Lace Needle-work Point & Cutt-work.
c. 10.	An Act for granting to His Majesty the Sūm of One Million foure hundred eighty foure thousand & fifteene Poundꝙ one Shilling eleaven Pence three Farthingꝙ for disbanding Forces paying Seamen and other Uses therein mencõed.
c. 11.	An Act for explaining an Act made the last Session of Parliamt. entituled An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdome.
c. 13.	An Act for granting to His Majestie several Duties upon Coals and Culm.
c. 14.	An Act for continuing the Duties upon Coffee Tea and Chocolate and Spices towardꝙ Satisfaction of the Debt due for Transport Service for the Reduction of Ireland.
c. 16.	An Act to execute Judgementꝙ & Decrees saved in a Clause in an Act of the First Yeare of the Reigne of King William and Queen Mary intituled An Act for taking away the Court holden before the President and Council of the Marches of Wales.
c. 22.	An Act to repeale an Act made in the Nine and thirtieth Yeare of the Reigne of Queen Elizabeth intituled (An Act to restraine the excessive makeing of Malt) and to discharge & vacate Orders made by Justices of Peace by virtue thereof for restraining Malsters from makeing Malt.
c. 24.	An Act for inlarging the time for purchasing certain Estates or Interests in several Annuities therein mentioned.
c. 26.	An Act to settle the Trade to Africa.
c. 29.	An Act to repeal the Act made the last Session of Parliament intituled An Act for Relief of Creditors by making Composition with their Debtors in case Two thirds in Number and Value do agree.
c. 30.	An Act for increasing His Majesties Duties upon Lustrings and Alamodes.

(1) The Acts in the Statutes of the Realm given as of 9 Gul. 3. are from Chapter 6. inclusive given in the running headings of Ruffhead's Edition as of 9 & 10 Gul. 3.

Statute Law Revision.

c. 31.	An Act for raising the [Milita] for the Year One thousand six hundred ninety eight although the Months Pay formerly advanced be not [paid].
c. 32. (1) in part.	An Act for preventing Frauds and Abuses in the charging collecting & paying the Duties upon Marriages Births Burials Batchellors and Widowers - - - - - - - - - :— Except Sections Four and Six (2).
c. 34. (3)	An Act for applying to the Use of His Majesties Navy and Ordnance the Overplus of the Money and Stores which were provided for the building Seven and twenty Ships of War.
c. 36. (4)	An Act to stop the coining Farthings and Halfpence for One Year.
c. 37. (5)	An Act for the better and more orderly Payment of the Lottery Tickets now payable out of certain additional Duties of Excise and of other Annuities lately payable out of Tunnage Duties.
c. 38.	An Act for granting to His Majesty an Aid by a Quarterly Poll for One Year.
c. 39.	An Act for settling and adjusting the Proportion of Fine Silver Silk for the better making of Silver and Gold Thread and to prevent the Abuses of Wire-Drawers.
c. 42.	An Act for enlarging the Time for Registring of Ships pursuant to the Act for preventing Frauds and regulating Abuses in the Plantation Trade.
c. 43.	An Act for the better Incouragement of the Royal Lustring Company and the more effectual preventing the fraudulent Importation of Lustrings and Alamodes.
c. 44. in part.	An Act for raising a Sum not exceeding Two Millions upon a Fund for Payment of Annuities after the Rate of Eight Pounds per Centum per Annum and for settling the Trade to the East Indies - - :— Except Sections Thirty-five, Forty-two, Fifty-two, Fifty-three, Sixty to Sixty-two, Sixty-four and Sixty-five (6).
c. 45.	An Act for taking away Half the Duties imposed on Glass Wares and the Whole Duties lately laid on Stone and Earthen Wares and Tobacco Pipes and for granting (in lieu thereof) new Duties upon Whale Fins and Scotch Linen.
10 Gul. 3. c. 1.	An Act for granting an Aid to His Majesty for disbanding the Army and other necessary Occasions.
c. 3.	An Act to prohibit the Exportation of any Corn Malt Meale Flour Bread Biscuit or Starch for One Yeare from the Tenth Day of February One thousand six hundred ninety eight.
c. 4. (7) in part.	An Act to prohibit the excessive distilling of Spirits and Low Wines from Corne and against the Exporting of Beer and Ale and to prevent Frauds in Distillers - - - - - - - :— Except Sections Five and Eight.
c. 7. in part.	An Act for preventing irregular Proceedings of Sheriffs and other Officers in making the Returns of Members chosen to serve in Parliament - - - - in part; namely,— Section Two.
c. 9.	An Act for granting to His Majesty the Sūm of One Million four hundred eighty four thousand and fifteene one Shilling eleaven Pence three Farthings for disbanding the Army providing for the Navy and for other necessary Occasions.

(1) Chapter 35. in Ruffhead's Edition.
(2) Only the Title of this Act is printed in Ruffhead's Edition.
(3) Chapter 37. in Ruffhead's Edition.
(4) Chapter 33. in Ruffhead's Edition.
(5) Chapter 34. in Ruffhead's Edition.
(6) These are respectively Sections 45, 52, 62, 63, 70 to 72, 74, and 75. in Ruffhead's Edition.
(7) The Acts in the Statutes of the Realm given as of 10 Gul. 3. are from Chapter 4. inclusive given in the running headings of Ruffhead's Edition as of 10 & 11 Gul. 3.

Statute Law Revision.

c. 10. (1)	An Act for laying further Duties upon Sweets and for lessening the Duties as well upon Vineger as upon certaine Low Wines and Whalefins and the Duties upon Brandy imported and for the more easie raising the Duties upon Leather and for charging Cynders and for permitting the Importation of Pearl Ashes and for preventing Abuses in the brewing of Beere and Ale and Frauds in Importation of Tobacco.
c. 11. (2)	An Act for the more full and effectual charging of the Duties upon Rock-Salt.
c. 13. (3) in part.	An Act for makeing Billingsgate a Free Market for Sale of Fish - - - - - - - } in part; namely,— Sections One to Four (4), Six (5), Section Seven (6) to "sue for the same," and Sections Eight and Nine (7).
c. 14. (8)	An Act to Incourage the Trade to Newfoundland. Repealed as to all Her Majesty's Dominions.
c. 17. (9)	An Act to enable such Officers and Soldiers as have been in His Majesties Service during the late Warr to exercise Trades and for Officers to account with their Soldiers.
c. 18. (10)	An Act for raising the Militia for the Yeare One thousand six hundred ninety nine although the Months Pay formerly advanced be not repaid.
c. 19. (11)	An Act for the continueing the Imprisonment of Counter and others for the late horrid Conspiracy to assassinate the Person of His Sacred Majesty.
c. 21. (12)	An Act for continueing the Act for the more easie Recovery of Small Tithes.
c. 22. (13) in part.	An Act to enable Posthumus Children to take Estates as if borne in their Fathers Life time - - } in part; namely,— Section Two.
c. 23. (14) in part.	An Act for suppressing of Lotteries - - - - in part; namely,— Sections Four and Five.
c. 24. (15)	An Act for takeing off the remaining Duties upon Glasse Wares.
11 Gul. 3. c. 1.	An Act for taking away the Bounty Money for exporting Corn from the Ninth Day of February One thousand six hundred ninety nine to the Nine and twentieth Day of September One thousand seaven hundred.
c. 2. (16) in part.	An Act for granting an Aid to His Majesty by Sale of the forfeited and other Estates and Interests in Ireland and by a Land Tax in England for the severall Purposes therein mentioned - - - - - } in part; namely,— Section Sixty-three (17) to end of Act.
c. 3.	An Act for laying further Duties upon wrought Silks Muslins and some other Commodities of the East-Indies and for enlargeing the Time for purchasing certaine reversionary Annuities therein mentioned.
c. 7. in part.	An Act for the more effectuall Suppression of Piracy - in part; namely,— Sections One to Six (18), Thirteen and Fifteen.
c. 8.	An Act for the appointing Commissioners to take examine and determine the Debts due to the Army Navy and for Transport-Service and alsoe an Account of the Prizes taken during the late Warr.
c. 9. in part.	An Act for preventing of frivolous and vexatious Suits in the Principality of Wales and the Counties Palatine } in part; namely,— Section Two.

(1) Chapter 21. in Ruffhead's Edition.
(2) Chapter 22. in Ruffhead's Edition.
(3) Chapter 24. in Ruffhead's Edition.
(4) Sections 1. to 9. in Ruffhead's Edition.
(5) Section 11. in Ruffhead's Edition.
(6) Section 12. in Ruffhead's Edition.
(7) These are Sections 13. and 14. in Ruffhead's Edition.
(8) Chapter 25. in Ruffhead's Edition.
(9) Chapter 11. in Ruffhead's Edition.
(10) Chapter 12. in Ruffhead's Edition.
(11) Chapter 13. in Ruffhead's Edition.
(12) Chapter 15. in Ruffhead's Edition.
(13) Chapter 16. in Ruffhead's Edition.
(14) Chapter 17. in Ruffhead's Edition.
(15) Chapter 18. in Ruffhead's Edition.
(16) The Acts in the Statutes of the Realm given as of 11 Gul. 3. are from Chapter 2. inclusive given in Ruffhead's Edition as of 11 & 12 Gul. 3.
(17) Not printed in Ruffhead's Edition.
(18) Sections 1. to 7. in Ruffhead's Edition.

c. 10.	An Act for the more effectuall imploying the Poor by incourageing the Manufactures of this Kingdom.
c. 11.	An Act to repeale an Act made in the Ninth Yeare of His Majesties Reigne intituled An Act for rendring the Laws more effectuall for preventing the Importation of Forreigne Bone-Lace Loom-Lace Needle-Worke Point and Cut-Worke Three Months after the Prohibition of the Woollen Manufactures in Flanders shall be taken off.
c. 13.	An Act for continueing severall Laws therein mentioned, and for explaining the Act intituled An Act to prevent the Exportation of Wooll out of the Kingdoms of Ireland and England into Forreigne Parts and for the Incouragement of the Woollen Manufactures in the Kingdom of England.
c. 14.	An Act for raiseing the Militia for the Yeare One thousand seaven hundred although the Months pay formerly advanced be not repaid.
c. 15.	An Act for the ascertaining the Measures for retailing Ale and Beer.
c. 16. in part.	An Act for the better ascertaining the Tythes of Hemp and Flax - - - - - - } in part; namely,— The last Section.
c. 17.	An Act to prevent Disputes that may arise by Officers and Members of Corporations haveing neglected to signe the Association and takeing the Oaths in due Time.
c. 18. in part.	An Act for the more effectuall Punishment of Vagrants and sending them whither by Law they ought to be sent - - - - - } :— Except the last Section (1).
c. 20.	An Act for takeing away the Duties upon the Woollen Manufactures, Corn Grain Bread Biscuit and Meal exported.
12 & 13 Gul. 3. c. 1.	An Act for renewing the Bills of Credit commonly called Exchequer Bills.
c. 3.	An Act for preventing any Inconveniencies that may happen by Priviledge of Parliament.
c. 5.	An Act for continuing a former Act to prevent false and Double Returns of Members to serve in Parliament.
c. 6.	An Act for continuing the Acts therein mentioned for preventing Theft and Rapine upon the Northern Borders of England.
c. 8.	An Act for raising the Militia for One Year although the Months Pay formerly advanced be not repaid.
c. 10. in part.	An Act for granting an Aid to His Majesty for defraying the Expence of His Navy Guards and Garrisons for One Year and for other necessary Occasions - - - - - - - - } :— Except Sections Eighty-seven to Eighty-nine (2).
c. 11.	An Act for granting to His Majesty several Duties upon Low Wines or Spirits of the First Extraction and continuing several additional Duties upon Coffee Tea Chocolate Spices and Pictures and certain Impositions upon Hawkers Pedlars and Petty [Chapmen] and the Duty of Fifteen per Cent upon Muslins and for improving the Duties upon Japanned and Laquered Goods and for continuing the Coinage Duty for the several Terms and Purposes therein mentioned.
c. 12.	An Act for appropriating Three thousand seven hundred Pounds weekly out of certain Branches of Excise for publick Uses and for making a Provision for the Service of His Majesties Houshold and Family and other His necessary Occasions.
13 & 14 (3) Gul. 3. c. 1.	An Act for reviving and continuing an Act intituled An Act for the appointing Commissioners to take examine and determine the Debts due to the Army Navy and for Transport Service and also an Account of Prizes taken during the late War.

(1) Only the Title of this Act is printed in Ruffhead's Edition.
(2) Sections 89. to 91. in Ruffhead's Edition.
(3) 13 in Ruffhead's Edition.

c. 2.	An Act for punishing of Officers and Soldiers that shall mutiny or desert in England or Ireland.
c. 4.	An Act for continuing an Act intituled An Act that the solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in the usual Form.
c. 5.	An Act for granting an Aid to His Majesty by laying Duties upon Malt Mum Cyder and Perry.
c. 6.	An Act for the further Security of His Majesties Person and the Succession of the Crown in the Protestant Line and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders and their open and secret Abettors.

ANNE.

1 Ann. [1] c. 1. [2] in part.	An Act for the better Support of Her Majesties Household and of the Honour and Dignity of the Crown - Sections One to Four.	in part; namely,—
c. 2. [3] in part.	An Act for explaining a Clause in an Act made at the Parliament begun and holden at Westminster the Two and twentieth of November in the Seventh Year of the Reign of our Sovereign Lord King William the Third intituled An Act for the better Security of His Majesties Royal Person and Government - - - Sections One to Three, Section Five from "That no Commission" to "living," and the last Section.	in part; namely,—
c. 4. [4]	An Act for taking examining and stating the Publick Accounts of the Kingdom.	
c. 5. [5]	An Act for reviving the Act entituled An Act for exempting Apothecaries from serving the Offices of Constable Scavenger and other Parish and Ward Offices and from Serving upon Juries.	
c. 6. [6]	[7]	
c. 7. [8]	An Act for making good Deficiencies & for preserving the Publick Credit.	
c. 8. [9]	An Act for enabling Her Majesty to appoint Commissioners to treat for an Union between the Kingdoms of England and Scotland.	
c. 10. [10]	An Act for the enlarging and encouraging the Greenland Trade.	
c. 11. [11]	An Act for continuing and amending the Act made in the Ninth Year of His late Majesties Reign intituled An Act for the settling and adjusting the Proportions of Fine Silver and Silk and for the better making of Gold and Silver Thread and to prevent the Abuses of Wire-drawers.	
c. 12. [12] in part.	An Act to explain and alter the Act made in the Two and twentieth Year of King Henry the Eighth concerning repairing and amending of Bridges in the Highways and for repealing an Act made in the Twenty third Year of Queen Elizabeth for the re-edifying of Cardiffe Bridge in the County of Glamorgan and also for changing the Day of Election of the Wardens and Assistants of Rochester Bridge - - Section Thirteen.	in part; namely,—

[1] 1 Ann. Stat. 1. in Ruffhead's Edition.
[2] Chapter 7. in Ruffhead's Edition.
[3] Chapter 8. in Ruffhead's Edition.
[4] Chapter 10. in Ruffhead's Edition.
[5] Chapter 11. in Ruffhead's Edition.
[6] Chapter 12. in Ruffhead's Edition.
[7] "No Title to this Act on the Roll. The Title indorsed on the Original Act is "An Act for granting an "Aid to Her Majesty by diverse Subsidies and a Land Tax." "— 8 Statutes of the Realm, 9. Note 2.
[8] Chapter 13. in Ruffhead's Edition.
[9] Chapter 14. in Ruffhead's Edition.
[10] Chapter 16. in Ruffhead's Edition.
[11] Chapter 17. in Ruffhead's Edition.
[12] Chapter 18. in Ruffhead's Edition.

c. 16. (1)	An Act to declare the Alterations in the Oath appointed to be taken by the Act intituled An Act for the further Security of His Majesties Person and the Succession of the Crown in the Protestant Line and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders and their open and secret Abettors and for declaring the Association to be determined.
c. 17. (2)	An Act for raising the Militia for the Year One thousand seven hundred and two notwithstanding the Months Pay formerly advanced be not repaid.
c. 18. (3)	An Act for the continuing the present Sheriffs in England and Wales until the First Day of Hilary Term next unless Her Majesty shall think fit to determine them sooner.
c. 19. (4)	An Act for the Relief of Poor Prisoners for Debt.
c. 21. (5)	An Act for the Importation of Fine Italian Thrown Silk.
c. 22. (6)	An Act for importing into England Thrown Silk of the Growth of Sicily from the Port of Leghorne in Italy.
c. 23. (7)	An Act for the continuing the Imprisonment of Counter and others for the horrid Conspiracy to assassinate the Person of His late Sacred Majesty King William the Third.
1 Ann. Stat. 2. c. 1.	An Act for granting to Her Majesty a Land Tax for carrying on the War against France and Spain.
c. 2.	An Act for enabling Her Majesty to settle a Revenue for supporting the Dignity of His Royal Highness Prince George Hereditary of Denmark in case he shall survive Her Majesty.
c. 3.	An Act for granting a Supply to Her Majesty by several Duties imposed upon Malt Mum Cyder and Perry.
c. 4.	An Act for [the] continuing the Duties upon Coals Culm and Cynders.
c. 5.	An Act for granting an Aid to Her Majesty by Sale of several Annuities at the Exchequer for carrying on the War against France and Spain.
c. 8.	An Act for Explanation of a Clause in One Act made in the Seventh Year of His late Majesties Reign relating to Borelaps and to take off the additional Subsidy upon Irish Linnen.
c. 13.	An Act for continuing former Acts for exporting Leather and for Ease of Jurors and for reviving and making more effectual an Act relating to Vagrants.
c. 14.	An Act for the incouraging the Consumption of malted Corn and for the better preventing the running of French and Foreign Brandy.
c. 15. (8)	An Act for raising the Militia of this Kingdom for the Year One thousand seven hundred and three notwithstanding the Months Pay formerly advanced be not repaid.
c. 16. (9)	An Act to oblige Edward Whitaker to account for such Sums of Publick Money as hath been received by him.
c. 17. (10)	An Act for granting to Her Majesty several Subsidies for carrying on the War against France and Spain.
c. 20. (11)	An Act for punishing Officers or Soldiers who shall mutiny or desert Her Majesties Service in England or Ireland and for punishing false Musters and for better Payment of Quarters in England.

(1) Chapter 22. in Ruffhead's Edition.
(2) Chapter 23. in Ruffhead's Edition.
(3) Chapter 24. in Ruffhead's Edition.
(4) Chapter 25. in Ruffhead's Edition.
(5) Chapter 27. in Ruffhead's Edition.
(6) Chapter 28. in Ruffhead's Edition.
(7) Chapter 29. in Ruffhead's Edition.
(8) Chapter 23. in Ruffhead's Edition.
(9) Chapter 24. in Ruffhead's Edition.
(10) Chapter 15. in Ruffhead's Edition.
(11) Chapter 16. in Ruffhead's Edition.

Statute Law Revision.

c. 21. (1) in part.	An Act for enlarging the Time for taking the Oath of Abjuration and also for recapacitating and indemnifying such Persons as have not taken the same by the Time limitted and shall take the same by a Time to be appointed and for the further Security of Her Majesties Person and the Succession of the Crown in the Protestant Line and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders and their open and secret Abettors - Sections One, Two, Four, Ten, and Eleven.	in part; namely,—
c. 22. (2) in part.	An Act for the more effectual preventing the Abuses and Frauds of Persons imployed in the working up the Woollen Linen Fustian Cotton and Iron Manufactures of this Kingdom - - - - The last Section.	in part; namely,—
c. 23. (3)	An Act for taking examining and stating the Publick Accounts of the Kingdom.	
c. 24. (4)	An Act for reviving and continuing the late Acts for appointing Commissioners to take examine and determine the Debts due to the Army and for Transport Service and also an Account of the Prizes taken during the late War.	
2 & 3 Ann. c. 1.	An Act for granting an Aid to Her Majesty by a Land Tax to be raised in the Yeare One thousand seaven hundred and four.	
c. 2.	An Act for granting an Aid to Her Majesty by continueing the Duties upon Malt Mum Cyder and Perry for One Yeare.	
c. 3.	An Act for granting an Aid to Her Majesty for carrying on the Warr and other Her Majesties Occasions by selling Annuities at severall Rates and for such respective Termes or Estates as are therein mencõned.	
c. 5.	An Act to repeale a Proviso in an Act of the Fourth Yeare of the Reigne of King William and Queen Mary which prevents the Citizens of the City of Yorke from disposing of their Personall Estates by their Wills as others inhabiting within the Province of York by that Act may do.	
c. 9. (5)	An Act for the better and more regular paying and assigneing the Annuityes after the Rate of Three Pounds per Centum per Annum payable to severall Bankers and other Patentees or those claimeing under them.	
c. 10. (6)	An Act for the Discharge out of Prison such Insolvent Debtors as shall serve or procure a Person to serve in Her Majesties Fleet or Army.	
c. 11. (7)	An Act for better charging severall Accomptants with Interest Monies by them received and to be received.	
c. 12. (8)	An Act for the further Explanation and Regulation of the Privilidge of Parliament in relation to Persons in Publick Offices.	
c. 13. (9)	An Act for raising Recruits for the Land Forces and Marines and for dispensing with Part of the Act for the Incouragement and Increase of Shipping and Navigation during the present Warr.	
c. 14. (10)	An Act for raising the Militia for the Yeare One thousand seven hundred and four notwithstanding the Months Pay formerly advanced be not repaid.	
c. 15. (11)	An Act for prolonging the Time by an Act of Parliament made in the First Year of Her Majesties Reigne for importing Throwne Silke of the Growth of Sicily from Leghorne.	
c. 16. (12)	An Act for the better securing and regulating the Duties upon Salt.	

(1) Chapter 17. in Ruffhead's Edition.
(2) Chapter 18. in Ruffhead's Edition.
(3) Chapter 19. in Ruffhead's Edition.
(4) Chapter 20. in Ruffhead's Edition.
(5) Chapter 15. in Ruffhead's Edition.
(6) Chapter 16. in Ruffhead's Edition.
(7) Chapter 17. in Ruffhead's Edition.
(8) Chapter 18. in Ruffhead's Edition.
(9) Chapter 19. in Ruffhead's Edition.
(10) Chapter 12. in Ruffhead's Edition.
(11) Chapter 13. in Ruffhead's Edition.
(12) Chapter 14. in Ruffhead's Edition.

Statute Law Revision.

c. 17. (1)	An Act for punishing Mutiny Desertion and false Musters and for better paying of the Army and Quarters and for satisfieing divers Arrears and for a further Continuance of the Powers of the Five Commissioners for the examining and determining the Accounts of the Army.
c. 18. (2)	An Act for granting to Her Majesty an additional Subsidy of Tonnage and Poundage for Three Years and for laying a further Duty upon French Wines condemned as lawfull Prize and for ascertaining the Values of unrated Goods imported from the East Indiaes.
c. 19. (3)	An Act to enlarge the Time for [the] Purchasers of the Forfeited Estates in Ireland to make the Payments of their Purchase Money.
c. 21. (4)	An Act to discharg the Governor and Company for makeing hollow Sword Blades in England of the Sūm of Eighteen thousand eight hundred sixty four Pounds Seven Shillings One Penny Halfe penny by Mistake overcharged in the Purchase Money for several Forfeited and other Estates and Interests in Ireland purchased by them.
3 & 4 Ann. c. 1.	An Act for granting an Aid to Her Majesty by a Land Tax to be raised in the Year One thousand seven hundred and five.
c. 2.	An Act for raising Monies by Sale of severall Annuities for carrying on the present War.
c. 3. (5)	An Act for granting to Her Majestie a further Subsidy on Wines and Merchandizes imported.
c. 5. (6)	An Act for punishing Mutiny and Desertion and False Musters and for the better Payment of the Army and Quarters.
c. 6. (7)	An Act for the effectual securing the Kingdom of England from the apparent Dangers that may arise from several Acts lately passed in the Parliament of Scotland.
c. 8. (8) in part.	An Act for giving like Remedy upon Promissory Notes as is now used upon Bills of Exchange and for the better Payment of Inland Bills of Exchange . . . The last Section. } in part; namely,—
c. 9. (9)	An Act for encouraging the Importation of Naval Stores from Her Majesties Plantations in America.
c. 10. (10)	An Act for the better recruiting Her Majesties Land Forces and the Marines for the Year One thousand seven hundred and five.
c. 12. (11)	An Act for prohibiting all Trade and Commerce with France.
c. 13. (12)	An Act to prevent all traiterous Correspondence with Her Majesties Enemies.
c. 14. (13)	An Act for [the] Releife of Fulk Emes Gent and others who had elapsed their Times either for paying their [Monies] or nameing their Nominees for purchasing Annuities and also for Releif of Sir John Mead Knight and Baronett who had elapsed his Time for paying Part of his Purchase Money for a Forfeited Estate in Ireland and also for Releife of Dorothy Ireland and others in respect of severall Ticketts for Payment of Annuities & of severall Million Lottery Ticketts and Exchequer Bills and Debentures to the Army which have been burnt or lost.
c. 15. (14)	An Act for raising the Militia for the Yeare One thousand seven hundred and five although the Months Pay formerly advanced be not repaid.
c. 16. (15)	An Act for making perpetuall an Act for the more easie Recovery of Small Tithes and also an Act for the more easie obteining Partition of Lands in Coparcenary Joynt Tennancy and Tennancy in Common and alsoe for makeing more effectuall and amending severall Acts relating to the Retorne of Jurors.

(1) Chapter 20. in Ruffhead's Edition.
(2) Chapter 9. in Ruffhead's Edition.
(3) Chapter 10. in Ruffhead's Edition.
(4) Chapter 12 Pr. in Ruffhead's Edition.
(5) Chapter 5. in Ruffhead's Edition.
(6) Chapter 16. in Ruffhead's Edition.
(7) Chapter 7. in Ruffhead's Edition.
(8) Chapter 9. in Ruffhead's Edition.
(9) Chapter 10. in Ruffhead's Edition.
(10) Chapter 11. in Ruffhead's Edition.
(11) Chapter 13. in Ruffhead's Edition.
(12) Chapter 14. in Ruffhead's Edition.
(13) Chapter 15. in Ruffhead's Edition.
(14) Chapter 17. in Ruffhead's Edition.
(15) Chapter 18. in Ruffhead's Edition.

Statute Law Revision.

c. 17. (1)	An Act for continuing the Duties upon Malt Mum Cyder and Perry for One Yeare.
c. 18. (2)	An Act for continuing Duties upon Low Wines and upon Coffee Tea Chocolate Spices and Pictures and upon Hawkers Pedlars and Petty Chapmen and upon Muslins and for granting new Duties upon severall of the said Cōmodities and alsoe upon Calicoes China Ware and Drugs.
4 & 5(3) Ann. c. 1.(4)	An Act for granting an Aid to Her Majesty by a Land Tax [to be] raised in the Year One thousand seven hundred and six.
c. 3. (5) in part.	An Act for the Amendment of the Law and the better Advancement of Justice - - - - - } in part; namely,— Sections Fifteen and Sixteen, and the following words in Section Twenty,— "provided the Assignment so endorsed be duely stampt before any "Action be brought thereupon."
c. 4. (6)	An Act to prevent Frauds frequently committed by Bankrupts.
c. 6. (7)	An Act for the Encouragement and Encrease of Seamen and for the better and speedier Manning Her Majesties Fleet.
c. 7. (8)	An Act for the better enabling the Master Wardens and Assistants of Trinity House to rebuild the Light-House on the Edystone Rock.
c. 9. (9)	An Act to impower the Lord High Treasurer or Commissioners of the Treasury to issue out of the Monies arising by the Coynage Duty any Sum not exceeding Five hundred Pounds over and above the Sum of Three thousand Pounds yearly for the Uses of the Mint.
c. 10. (10)	An Act for raising the Militia for the Year One thousand seven hundred and six notwithstanding the Months Pay formerly advanced be not repaid and for an Account to be made of Trophy Monies.
c. 11. (11)	An Act to enlarge the Time for registring unsatisfied Debentures upon the forfeited Estates in Ireland and for renewing of other Debentures which have been lost burnt or destroyed.
c. 12. (12)	An Act for the paying and clearing the several Regiments commanded by Lieutenant General Stewart Colonel Hill and Brigadier Holt and for supplying the Defect of the Muster Rolls of those and several other Regiments.
c. 14. (13)	An Act for exhibiting a Bill in this present Parliament for naturalizing the most Excellent Princess Sophia Electress and Dutchess Dowager of Hanover and the Issue of Her Body.
c. 15. (14)	An Act to repeal several Clauses in the Statute made in the Third and Fourth Years of Her present Majestie's Reign for securing the Kingdom of England from several Acts lately passed in the Parliament of Scotland.
c. 17. (15)	An Act for continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and six.
c. 18. (16)	An Act for continuing an additional Subsidy of Tonnage and Poundage and certain Duties upon Coals Culm and Cynders and additional Duties of Excise and for settling and establishing a Fond thereby and by other Ways and Means for Payment of Annuities to be sold for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and six and other Uses therein mentioned.
c. 19. (17)	An Act for making the Town of New Ross in the County of Wexford in the Kingdom of Ireland a Port for the exporting Wooll from Ireland into this Kingdom.

(1) Chapter 3. in Ruffhead's Edition.
(2) Chapter 4. in Ruffhead's Edition.
(3) 4 in Ruffhead's Edition.
(4) Chapter 2. in Ruffhead's Edition.
(5) Chapter 16. in Ruffhead's Edition.
(6) Chapter 17. in Ruffhead's Edition.
(7) Chapter 19. in Ruffhead's Edition.
(8) Chapter 20. in Ruffhead's Edition.
(9) Chapter 22. in Ruffhead's Edition.
(10) Chapter 23. in Ruffhead's Edition.
(11) Chapter 24. in Ruffhead's Edition.
(12) Chapter 25. in Ruffhead's Edition.
(13) Chapter 1. in Ruffhead's Edition.
(14) Chapter 3. in Ruffhead's Edition.
(15) Chapter 5. in Ruffhead's Edition.
(16) Chapter 6. in Ruffhead's Edition.
(17) Chapter 7. in Ruffhead's Edition.

c. 20. (1)	An Act for the better Security of Her Majesties Person and Government and of the Succession to the Crown of England in the Protestant Line.
c. 21. (2)	An Act for the better recruiting Her Majesties Army and Marines.
c. 22. (3)	An Act for continuing an Act made in the Session held in the Third and Fourth Years of Her Majesties Reign intituled An Act for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters.
c. 23. (4)	An Act for laying further Duties on Low Wines and for preventing the Damage to Her Majesties Revenue by Importation of Foreign Cut Whalebone and for making some Provisions as to the Stamp Duties and the Duties on Births Burials and Marriages and the Salt Duties and touching Million Lottery Tickets and for enabling Her Majesty to dispose the Effects of William Kidd a notorious Pirate to the Use of Greenwich Hospital and for appropriating the Publick Monies granted in this Session of Parliament.
6 (5) Ann. c. 1.	An Act for granting an Aid to Her Majesty by a Land Tax to be raised in the Year One thousand seven hundred and seven.
c. 2. (6)	An Act for continuing the Duties on Low Wines and Spirits of the First Extraction and the Duties payable by Hawkers Pedlars and Petty Chapmen and Part of the Duties on Stampt Vellum Parchment and Paper and the late Duties on Sweets and the One third Subsidy of Tonnage and Poundage and for settling and establishing a Fund thereby and by the Application of certain Overplus Monies and otherwise for Payment of Annuities to be sold for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and seven and other Uses therein expressed.
c. 3. (7)	An Act for the better Encouragement of the Royal Lustring Company.
c. 5. (8)	An Act for continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and seven.
c. 11. (9) in part.	An Act for an Union of the Two Kingdoms of England and Scotland - - - - - } in part; namely,— Section Four (10) so far as it ratifies approves and confirms the Articles and parts of Articles following; namely,— Article V. Article VI. from "And seeing" to end of that Article. Article VIII. Articles X. to XV. Article XVI. from "and a Mint" to end of that Article. Article XIX. from "And that after the Union" to end of that Article. Article XXII. from "and that when" to "dissolved by Her Majesty."
c. 17. (11)	An Act for the better recruiting Her Majestie's Land Forces and the Marines for the Year One thousand seven hundred and seven.
c. 18. (12)	An Act for continuing an Act made in the Third and Fourth Years of Her Majesties Reign intituled An Act for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters.
c. 19. (13)	An Act to repeal all the Laws prohibiting the Importation of Foreign Lace made of Thread.
c. 21. (14)	An Act for continuing the Duties upon Houses to secure a yearly Fund for circulating Exchequer Bills whereby a Sum not exceeding Fifteen hundred thousand Pounds is intended to be raised for carrying on the War and other Her Majesties Occasions.

(1) Chapter 8. in Ruffhead's Edition.
(2) Chapter 10. in Ruffhead's Edition.
(3) Chapter 11. in Ruffhead's Edition.
(4) Chapter 12. in Ruffhead's Edition.
(5) The Acts in the Statutes of the Realm given as of 6 Ann. are, to Chapter 34. inclusive, given in Ruffhead's Edition as of 5 Ann.
(6) Chapter 19. in Ruffhead's Edition.
(7) Chapter 20. in Ruffhead's Edition.
(8) Chapter 2. in Ruffhead's Edition.
(9) Chapter 8. in Ruffhead's Edition.
(10) Section 10. in Ruffhead's Edition.
(11) Chapter 15. in Ruffhead's Edition.
(12) Chapter 16. in Ruffhead's Edition.
(13) Chapter 17. in Ruffhead's Edition.
(14) Chapter 13. in Ruffhead's Edition.

c. 22.	An Act to explain and amend an Act of the last Session of Parliament for preventing Frauds frequently committed by Bankrupts.
c. 27.	An Act for continuing several Subsidies Impositions and Duties and for making Provisions therein mentioned to raise Money by way of Loan for the Service of the War and other Her Majesties necessary and important Occasions and for ascertaining the Wine Measure.
c. 28.	An Act for raising the Militia for the Year One thousand seven hundred and seven notwithstanding the Months Pay formerly advanced be not repaid and for an Accompt to be made of Trophy Money.
c. 29.	An Act for Ease of Her Majesties [Subjects] in relation to the Duties upon Salt and for making the like Allowances upon the Exportation of White Herrings Flesh Oatmeal and Grain called Beer alias Bigg as are to be made upon Exportation of the like from Scotland.
c. 32.	An Act for the Continuance of the Laws for the Punishment of Vagrants and for making such Laws more effectual.
c. 33.	An Act for obliging John Rice to accompt for Debentures granted to him in the last Session of Parliament.
c. 34.	An Act for continuing the Laws therein mentioned relating to the Poor and to the buying and selling of Cattle in Smithfield and for suppressing of Piracy.
c. 35. ([1])	An Act for granting an Aid to Her Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and eight.
c. 36. ([2])	An Act for repealing and declaring the Determination of Two Acts passed in the Parliament of Scotland the one intituled Act for the Security of the Kingdom the other Act anent Peace and War.
c. 38. ([3])	An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and eight.
c. 39. ([4])	An Act for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and eight and other Uses by Sale of Annuities charged on a Fund not exceeding Forty thousand Pounds per Annum to arise by appropriating several Surplusses and by granting further Terms in the Duties on Low Wines and on Hawkers Pedlars and Petty Chapmen the Stamp Duties the One Third Subsidy the Duty on Sweets and One of the Branches of Excise and by making other Provision in this Act mentioned.
c. 40. ([5]) in part.	An Act for rendring the Union of the Two Kingdoms more intire and complete - - - - - } in part; namely,— Section Five from "and the said several Sheriffs" to end of that Section, and Section Six.
c. 41. ([6]) in part.	An Act for the Security of Her Majesties Person and Government and of the Succession to the Crown of Great Britain in the Protestant Line - - - } in part; namely,— Sections Ten to Seventeen, Section Eighteen to "administer the same," Sections Nineteen to Twenty-three ([7]) and Thirty ([8]).
c. 43. ([9])	An Act for incouraging the dressing and dying of Woollen Clothes within this Kingdom by laying a Duty upon Broad Cloth exported white.
c. 44. ([10])	An Act for the Exportation of White Woollen Cloth.
c. 45. ([11])	An Act for the better recruiting Her Majesties Land Forces and the Marines for the Service of the Year One thousand seven hundred and eight.

([1]) Chapter 1. in Ruffhead's Edition.
([2]) Chapter 2. in Ruffhead's Edition.
([3]) Chapter 4. in Ruffhead's Edition.
([4]) Chapter 5. in Ruffhead's Edition.
([5]) Chapter 6. in Ruffhead's Edition.
([6]) Chapter 7. in Ruffhead's Edition.
([7]) Section 24. in Ruffhead's Edition.
([8]) Section 31. in Ruffhead's Edition.
([9]) Chapter 8. in Ruffhead's Edition.
([10]) Chapter 9. in Ruffhead's Edition.
([11]) Chapter 10. in Ruffhead's Edition.

Statute Law Revision.

c. 48. [1]	An Act for continuing One Half Part of the Subsidies of Tonnage and Poundage and other Duties upon Wines Goods and Merchandizes imported which were granted to the Crown in the Twelfth Year of the Reign of King Charles the Second and for settling a Fund thereby and by other Ways and Means for Payment of Annuities not exceeding Eighty thousand Pounds per Annum to be sold for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and eight and other Uses therein expressed.
c. 49. [2]	An Act to explain the Act of the last Session of Parliament for the Ease of Her Majesties Subjects in relation to Allowances out of the Duties upon Salt carried Coastwise and also an Act of the First Year of Her Majesties Reign in Relation to certain Salt works near the Sea-Side and Bay of Holyhead in the County of Anglesea.
c. 50. [3]	An Act for continuing several Duties therein mentioned upon Coffee Chocolate Spices Pictures and Muslins and additional Duties upon several of the said Commodities and certain Duties upon Callicoes China Wares and Drugs and for continuing the Duties called the Two Third Subsidies of Tonnage and Poundage for preserving the Publick Credit and for ascertaining the Duties of Coals exported for Foreign Parts and for securing the Credit of the Bank of England and for passing several Accounts of Taxes raised in the County of Monmouth and for promoting the Consumption of such Tobacco as shall have paid Her Majesties Duties.
c. 51. [4]	An Act for the further directing the Payment of the Equivalent Money.
c. 55. [5]	An Act for continuing the Act for ascertaining the Tythes of Hemp and Flax.
c. 61. [6]	An Act for limiting a Time to Persons to come in and make their Claims to any of the forfeited Estates and other Interests in Ireland sold by the Trustees for Sale of those Estates to the Governor and Company for making Hollow Sword Blades in England and divers other Purchasers.
c. 63. [7]	An Act for raising the Militia of this Kingdom for the Year One thousand seven hundred and eight although the Months Pay formerly advanced be not repaid.
c. 66. [8] in part.	An Act for the better Security of Her Majesties Person and Government - - - - - - } in part; namely,— Section One as to Form of Oath of Abjuration, that is to say, from "I AB" to end of that Section, and the last Section.
c. 67. [9]	An Act to impower Her Majesty to secure and detain such Persons as Her Majesty shall suspect are conspiring against Her Person or Government.
c. 68. [10] in part.	An Act for repealing the Act of the First Year of King James the First intituled An Act for the well garbling of Spices and for granting an Equivalent to the City of London by admitting Brokers - - - } in part; namely,— Sections One and Two.
c. 71. [11]	An Act for assuring to the English Company trading to the East Indies on account of the United Stock a longer Time in the Fund and Trade therein mentioned and for raising thereby the Sum of Twelve hundred thousand Pounds for carrying on the War and other Her Majesties Occasions.
c. 73. [12]	An Act for continuing the Half Subsidies therein mentioned with several Impositions and other Duties to raise Money by Way of Loan for the Service of the War and other Her Majesties necessary and important Occasions and for charging of Prize Goods and Seizures and for taking off the Drawbacks of Foreign Cordage and to obviate the Clandestine Importation of Wrought Silks.

[1] Chapter 11. in Ruffhead's Edition.
[2] Chapter 12. in Ruffhead's Edition.
[3] Chapter 22. in Ruffhead's Edition.
[4] Chapter 24. in Ruffhead's Edition.
[5] Chapter 28. in Ruffhead's Edition.
[6] Chapter 34. in Ruffhead's Edition.
[7] Chapter 36. in Ruffhead's Edition.
[8] Chapter 14. in Ruffhead's Edition.
[9] Chapter 15. in Ruffhead's Edition.
[10] Chapter 16. in Ruffhead's Edition.
[11] Chapter 17. in Ruffhead's Edition.
[12] Chapter 19. in Ruffhead's Edition.

Statute Law Revision.

c. 74. (1)	An Act for continuing an Act made in the Third Year of Her Majesties Reign intituled An Act for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters.
c. 75. (2) in part.	An Act for the avoiding of Doubts and Questions touching the Statutes of divers Cathedral and Collegiate Churches - - - - - - - - } in part; namely,— The last two Sections.
c. 78. (3) in part.	An Act to make further Provision for electing and summoning Sixteen Peers of Scotland to sit in the [House of Peers] in the Parliament of Great Britain and for trying Peers for Offences committed in Scotland and for the further regulating of Voters in Elections of Members to serve in Parliament - - } in part; namely,— Section Three as to the Forms of the Oaths therein mentioned and as to the Declaration thereby required, and the last two Sections.
7 Ann. c. 1.	An Act for granting an Aid to Her Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and nine.
c. 2.	An Act for the speedy and effectual recruiting Her Majesties Land Forces and Marines for the Service of the Year One thousand seven hundred and nine.
c. 3.	An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and nine.
c. 4.	An Act for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters.
c. 6.	An Act for explaining and making more effectual that Part of an Act passed in the Fifth Year of Her present Majesties Reign concerning the buying and selling of Cattle in Smithfield and for giving Leave for bringing up Calves dead to London as formerly.
c. 11.	An Act for ascertaining and directing the Payment of the Allowances to be made for or upon the Exportation from Scotland of Fish Beef and Pork cured with Foreign Salt imported before the First Day of May One thousand seven hundred and seven and for disposing such Salt still remaining in the Hands of Her Majesties Subjects there and for ascertaining and securing the Allowances for Fish and Flesh exported and to be exported from Scotland for the future.
c. 12. in part.	An Act for preserving the Privileges of Ambassadors and other publick Ministers of Foreign Princes and States - - - - - - } in part; namely,— Sections One and Two.
c. 15.	An Act for altering Whitsuntide and Lammas Terms for the Court of Exchequer in Scotland.
c. 16.	An Act to prevent the laying of Wagers relating to the Publick.
c. 21. in part.	An Act for improving the Union of the Two Kingdoms - - - - - - } in part; namely,— Sections Three (4), Six (5), and Section Eight (6) from "Provided" to end of that Section.
c. 22.	An Act for the Queens most gracious general and free Pardon.
c. 23.	An Act for raising the Militia for the Year One thousand seven hundred and nine although the Months Pay formerly advanced be not repaid.
c. 24.	An Act for continuing the former Act for the Encouragement of the Coinage and to encourage the bringing Foreign Coins and British or Foreign Plate to be coined and for making Provision for the Mints in Scotland and for the prosecuting Offences concerning the Coin in England.

(1) Chapter 20. in Ruffhead's Edition.
(2) Chapter 21. in Ruffhead's Edition.
(3) Chapter 23. in Ruffhead's Edition.
(4) Section 2. in Ruffhead's Edition.
(5) Section 4. in Ruffhead's Edition.
(6) Part of Section 5. in Ruffhead's Edition.

c. 25. An Act for making perpetual an Act for the better preventing the counterfeiting the Current Coin of this Kingdom as also an Act for giving like Remedy upon Promisory Notes as is used upon Bills of Exchange and for the better Payment of Inland Bills of Exchange And also for continuing several Acts made in the Fourth and Fifth Years of Her Majesties Reign for preventing Frauds committed by Bankrupts.

c. 30. (1) in part. An Act for enlarging the Capital Stock of the Bank of England and for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and nine - - - - :—
Except Sections One to Five (2), Sixty (3), Sixty-one (3), Sixty-six to Sixty-eight (4), Seventy (5), Seventy-five (6) and Seventy-seven (7).

c. 31. (8) An Act for continuing several Impositions and Duties to raise Money by way of Loan And for exporting British Copper and Brass Wire Duty-free And for circulating a further Sum in Exchequer Bills in case a new Contract be made in that Behalf And concerning the Oaths to be administred in relation to Italian Thrown Silks and touching Oyls and Plantation Goods of Foreigners taken or to be taken as Prize And concerning Drugs of America to be imported from Her Majesties Plantations And for appropriating the Monies given in this Session of Parliament And for making out Debentures for Two Transport Ships in this Act named And to allow a further Time for registring certain Debentures and for Relief of Persons who have lost such Tickets Exchequer Bills Debentures Tallies or Orders as in this Act are mentioned.

8 Ann. c. 1. in part. An Act for granting an Aid to Her Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and ten - - - - - - :—
Except the last two Sections (9).

c. 2. An Act to prohibit the Exportation of Corn Malt Meal Flour Bread Biscuit and Starch and Low Wines Spirits Worts and Wash drawn from malted Corn.

c. 3. An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and ten.

c. 5. (10) in part. An Act for laying certain Duties upon Candles and certain Rates upon Monies to be given with Clerks and Apprentices towards raising Her Majesties Supply for the Year One thousand seven hundred and ten - in part; namely,—
Sections One to Thirty-nine (11), and Section Fifty-eight (12) to end of Act.

c. 6. (13) An Act to continue the Act for punishing Mutiny and Desertion and for the better Payment of the Army and Quarters.

c. 7. (14) An Act to explain so much of the Act for prohibiting the Exportation of Corn Malt Meal Flour Bread Biscuit and Starch and Low Wines Spirits Worts and Wash drawn from malted Corn by which Act the said Commodities are admitted to be carried from the Isle of Wight [to] several Markets and for giving Liberty to exporte ertain Quantities of Oatmeal for the Uses of the British Hospitals beyond the Seas.

c. 10. (15) An Act for continuing Part of the Duties upon Coals Culm and Cynders and granting new Duties upon Houses having Twenty Windows or more to raise the Sum of Fifteen hundred thousand Pounds by Way of a Lottery for the Service of the Year One thousand seven hundred and ten.

(1) Chapter 7. in Ruffhead's Edition.
(2) Section 5. is Section 2. in Ruffhead's Edition.
(3) Not printed in Ruffhead's Edition.
(4) Sections 61. to 63. in Ruffhead's Edition.
(5) Section 65. in Ruffhead's Edition.
(6) Section 70. in Ruffhead's Edition.
(7) Section 72. in Ruffhead's Edition.
(8) Chapter 8. in Ruffhead's Edition.
(9) Only the Title of this Act is printed in Ruffhead's Edition.
(10) Chapter 9. in Ruffhead's Edition.
(11) Sections 1. to 31. in Ruffhead's Edition.
(12) Section 46. in Ruffhead's Edition.
(13) Chapter 10. in Ruffhead's Edition.
(14) Chapter 11. in Ruffhead's Edition.
(15) Chapter 4. in Ruffhead's Edition.

Statute Law Revision.

c. 12. (1)	An Act for granting to Her Majesty new Duties of Excise and upon several imported Commodities and for establishing a yearly Fond thereby and by other Ways and Means to raise Nine hundred thousand Pounds by Sale of Annuities and (in Default thereof) by another Lottery for the Service of the Year One thousand seven hundred and ten.
c. 13. (2)	An Act to continue the Act for recruiting Her Majesties Land-Forces and Marines for the Service of the Year One thousand seven hundred and ten.
c. 14. (3)	An Act for continuing several Impositions additional Impositions and Duties upon Goods imported to raise Money by way of Loan for the Service of the Year One thousand seven hundred and ten and for taking off the Oversea Duty on Coals exported in British Bottoms and for better preventing Frauds in Drawbacks upon Certificate Goods and for ascertaining the Duties of Corants imported in Venetian Ships and to give further Time to Foreign Merchants for Exportation of certain Foreign Goods imported and to limit a Time for Prosecutions upon certain Bonds given by Merchants and for continuing certain Fees of the Officers of the Customs and to prevent Imbezelments by such Officers and for appropriating the Monies granted to Her Majesty and for replacing Monies paid or to be paid for making good any Deficiencies on the Annuity Acts and for Encouragement to raise Naval Stores in Her Majesties Plantations and to give further Time for registring Debentures as is therein mentioned.
c. 15. in part.	An Act for explaining and enlarging an Act of the Sixth Year of Her Majesties Reign intituled An Act for the Security of Her Majesties Person and Government - } in part; namely,— Section One from "I A.B. do in" to end of that Section (4), and the last Section.
c. 16. in part.	An Act for discharging the Attendance of Noblemen Barons and Freeholders upon the Lords of Justiciary in their Circuits in that Part of Great Britain called Scotland and for abolishing the Method of exhibiting criminal Informations by the Porteous Roll - - } in part; namely,— Section Three.
c. 17.	An Act for explaining and making more effectual an Act for the better enabling the Master Wardens and Assistants of Trinity-House to rebuild the Lighthouse on the Edystone Rock.
c. 18. (5) in part.	An Act for the better Security of Rents and to prevent Frauds committed by Tenants - - - - } in part; namely,— Sections Two, Three, and Five.
c. 22. (6)	An Act for raising the Militia for the Year One thousand seven hundred and ten although the Months Pay formerly advanced be not repaid.
9 Ann. c. 1.	An Act for granting an Aid to Her Majesty to be raised by a Land-Tax in Great Britain for the Service of the Year One thousand seven hundred and eleven.
c. 2.	An Act to oblige Ships coming from Places infected more effectually to perform their Quarentine.
c. 3.	An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and eleven.
c. 4.	An Act to continue the Acts for recruiting Her Majesties Land Forces and Marines for the Service of the Year One thousand seven hundred and eleven.

(1) Chapter 7. in Ruffhead's Edition.
(2) Chapter 5. in Ruffhead's Edition.
(3) Chapter 13. in Ruffhead's Edition.
(4) To "thereof" in Ruffhead's Edition.
(5) Chapter 14. in Ruffhead's Edition.
(6) Chapter 20. in Ruffhead's Edition.

c. 6. in part.	An Act for reviving continuing and appropriating certain Duties upon several Commodities to be exported and certain Duties upon Coals to be waterborn and carried coastwise and for granting further Duties upon Candles for Thirty two Years to raise Fifteen hundred thousand Pounds by Way of a Lottery for the Service of the Year One thousand seven hundred and eleven and for suppressing such unlawful Lotteries and such Insurance Offices as are therein mentioned -	:—
	Except Section Fifty-seven (1).	
c. 7.	An Act for enabling and obliging the Bank of England for the Time therein mentioned to exchange all Exchequer Bills for ready Money upon Demand and to disable any Person to be Governor Deputy Governor or Director of the Bank of England and a Director of the East India Company at the same Time.	
c. 8.	An Act to repeal the Act of the Third and Fourth Year of Her Majesties Reign intituled An Act for prohibiting all Trade and Commerce with France so far as it relates to the prohibiting the Importation of French Wines.	
c. 9.	An Act to continue the Acts for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters and for approving of Medecines for the Army.	
c. 12. (2)	An Act for laying certain Duties upon Hides and Skins tanned tawed or dressed and upon Vellom and Parchment for the Term of Thirty [two] Years for prosecuting the War and other Her Majesties most necessary Occasions.	
c. 13. (3)	An Act for laying a Duty upon Hops.	
c. 15. (4) in part.	An Act for making good Deficiencies and satisfying the public Debts and for erecting a Corporation to carry on a Trade to the South Seas and for the Encouragement of the Fishery and for Liberty to trade in unwrought Iron with the Subjects of Spain and to repeal the Acts for registring Seamen - - - - - -	:—
	Except the last two Sections.	
c. 16. (5) in part.	An Act for licensing and regulating Hackney Coaches and Chairs and for charging certain new Duties upon stampt Vellom Parchment and Paper and on Cards and Dice and on the Exportation of Rock Salt for Ireland and for securing thereby and by a weekly Payment out of the Post Office and by severall Duties on Hydes and Skinns a yearly Fond of One hundred eighty six thousand six hundred and seventy Pounds for Thirty two Years to be applied to the Satisfaction of such Orders as are therein mentioned to the Contributors of any Sūm not exceeding Two Millions to be raised for carrying on the Warr and other Her Majesties Occasions - - - - -	in part ; namely,—
	Sections One to Twenty-four (6), and Section Forty-two (7) to end of Act.	
c. 18. (8)	An Act for the taking examining and stating the publick Accounts of the Kingdom.	
c. 20. (9)	An Act for making more effectual an Act of the Forty third Year of the Reign of Queen Elizabeth intituled An Act concerning the Assizes of Fewel so far as it relates to the Assize of Billet.	
c. 22. (10)	An Act for the Preservation of White and other Pine Trees growing in Her Majesties Colonies of New Hampshire the Massachusets Bay and Province of Main Rhode Island and Providence Plantation the Narraganset Country or Kings-Province and Connecticut in New England and New-York and New-Jersey in America for the masting Her Majesties Navy.	

(1) Section 56. in Ruffhead's Edition.
(2) Chapter 11. in Ruffhead's Edition.
(3) Chapter 12. in Ruffhead's Edition.
(4) Chapter 21. in Ruffhead's Edition.
(5) Chapter 23. in Ruffhead's Edition.
(6) Sections 1. to 22. in Ruffhead's Edition.
(7) Section 39. in Ruffhead's Edition.
(8) Chapter 13. in Ruffhead's Edition.
(9) Chapter 15. in Ruffhead's Edition.
(10) Chapter 17. in Ruffhead's Edition.

Statute Law Revision.

c. 30. [1]	An Act to dissolve the present and prevent the future Combination of Coal Owners Lightermen Masters of Ships and others to advance the Price of Coals in prejudice of the Navigation Trade and Manufactures of this Kingdom and for the further Encouragement of the Coal Trade.	
c. 31 [2]	An Act for raising the Militia for the Year One thousand seven hundred and eleven although the Months Pay formerly advanced be not repaid.	
c. 32. [3]	An Act for reviving and continuing an Act made in the First Year of Her Majesties Reign for the more effectual preventing Abuses and Frauds of Persons employed in the working up the Woollen Linen Fustian Cotton and Iron Manufactures of this Kingdom.	
10 Ann. c. 1.	An Act for granting an Aid to Her Majtie. to be raised by a Land-Tax in Great Britain for the Service of the Year One thousand seven hundred and twelve.	
c. 5. [4]	An Act for explaining and altering the Laws now in being concerning the Assizes of Fewel so far as they relate to the Assize of Billet made or to be made of Beech Wood only.	
c. 6. [5] in part.	An Act for preserving the Protestant Religion by better securing the Church of England as by Law established and for confirming the Toleration granted to Protestant Dissenters by an Act intituled An Act for exempting Their Majesties Protestant Subjects dissenting from the Church of England from the Penalties of certain Laws and for supplying the Defects thereof and for the further securing the Protestant Succession by requiring the Practicers of the Law in North Britain to take the Oaths and subscribe the Declaration therein mentioned - - - - -	in part; namely,— Section Ten.
c. 7. [6]	An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and twelve and for applying Part of the Coinage Duties to pay the Deficiency of the Value of Plate coined and to pay for the recoining the Old Money in Scotland.	
c. 9. [7]	An Act to repeal the Act of the Seventh Year of Her Majesties Reign intituled An Act for naturalizing Foreign Protestants (except what relates to the Children of Her Majesties natural born Subjects born out of Her Majesties Allegiance).	
c. 10. [8] in part.	An Act to prevent the disturbing those of the Episcopal Communion in that Part of Great Britain called Scotland in the Exercise of their Religious Worship and in the Use of the Liturgy of the Church of England and for repealing the Act passed in the Parliament of Scotland intituled Act against irregular Baptisms and Marriages - - - -	in part; namely,— Section Three as to Form of Oath of Abjuration, that is to say, from "I A, B, do truly" to end of that Section.
c. 11. [9]	An Act to continue the Act of the last Session of Parliament for taking examining and stating the publick Accounts of the Kingdom for One Year longer.	
c. 12. [10]	An Act for recruiting Her Majesties Land Forces and Marines for the Service of the Year One thousand seven hundred and twelve.	
c. 13. [11]	An Act for punishing Mutiny and Desertion and false Musters and for the better Payment of the Army and Quarters.	

[1] Chapter 28. in Ruffhead's Edition.
[2] Chapter 29. in Ruffhead's Edition.
[3] Chapter 30. in Ruffhead's Edition.
[4] Chapter 6. in Ruffhead's Edition.
[5] Chapter 2. in Ruffhead's Edition.
[6] Chapter 3. in Ruffhead's Edition.
[7] Chapter 5. in Ruffhead's Edition.
[8] Chapter 7. in Ruffhead's Edition.
[9] Chapter 8. in Ruffhead's Edition.
[10] Chapter 9. in Ruffhead's Edition.
[11] Chapter 10. in Ruffhead's Edition.

Statute Law Revision.

c. 18. ([1]) in part. | An Act for laying severall Duties upon all Sope and Paper made in Great Britain or imported into the same and upon chequered and striped Linens imported and upon certain Silkes Callicoes Linens and Stuffs printed painted or stained and upon severall Kinds of stampt Vellom Parchment and Paper and upon certain printed Papers Pamphlets and [Advetisements] for raiseing the Sūme of Eighteen hundred thousand Pounds by Way of a Lottery towards Her Majesties Supply and for licensing an additionall Number of Hackney Chairs and for charging certain Stocks of Cards and Dice and for better securing Her Majesties Duties to arise in the Office for the Stamp Duties by Licences for Marriages and otherwise and for Releife of Persons who have not claimed their Lottery Ticketts in due Time or have lost Exchequer Bills or Lottery Tickets and for borrowing Money upon Stock (Part of the Capitall of the South Sea Company) for the Use of the Publick - - } in part; namely,—

Sections One to One hundred and four ([2]), One hundred and thirty-eight to One hundred and eighty-seven ([3]), and Section One hundred and ninety-nine ([4]) to end of Act.

c. 19. ([5]) in part. | An Act for laying additionall Duties on Hydes and Skins Velom and Parchment and new Duties on Starch Coffee Tea Druggs Gilt and Silver Wire and Policies of Insurance to secure a yearly Fund for Satisfaction of Orders to the Contributors of a further Sum of One million eight hundred thousand Pounds towards Her Maties Supply and for the better securing the Duties on Candles and for obviating Doubts concerning certain Payments in Scotland and for suppressing unlawfull Lotteryes and other Devices of the same Kind and concerning Cake Soape and for Releife of Mary Ravenall in relation to an Annuity of Eighteen Pounds per Annum and concerning Prize Cocoa Nutts brought from America and certain Ticketts which were intended to be subscribed into the Stock of the South Sea Company and for appropriating the Monies granted in this Session of Parliamt - } :—

Except Sections Sixty-nine to Seventy-nine ([6]), One hundred and eleven ([7]), and One hundred and twelve ([8]).

c. 24. ([9]) | An Act for the reviving and continuing several Acts therein mentioned for the preventing Mischiefs which may happen by Fire for building and repairing County Gaols for exempting Apothecaries from serving Parish and Ward Offices and serving upon Juries and relating to the returning of Jurors.

c. 28. ([10]) in part. | An Act to give further Time for enrolling such Leases granted from the Crown as have not been enrolled within the respective Times therein limited and for making the pleading of Deeds of Bargain and Sale enrolled and of Fee Farm Rents more easie - - } in part; namely,—

Sections One and Two.

c. 29. ([11]) | An Act for the Relief of Insolvent Debtors by obliging their Creditors to accept the utmost Satisfaction they are capable to make and restoring them to their Liberty.

c. 31. ([12]) in part. | An Act for the more effectual preventing fraudulent Conveyances in order to multiply Votes for electing Knights of Shires to serve in Parliament - - - - - - - - } :—

Except Section One.

([1]) Chapter 19. in Ruffhead's Edition.
([2]) Sections 1. to 99. in Ruffhead's Edition.
([3]) Sections 125. to 171. in Ruffhead's Edition.
([4]) Section 183. in Ruffhead's Edition.
([5]) Chapter 26. in Ruffhead's Edition.
([6]) Sections 67. to 77. in Ruffhead's Edition.
([7]) Section 108. in Ruffhead's Edition.
([8]) Section 109. in Ruffhead's Edition.
([9]) Chapter 14. in Ruffhead's Edition.
([10]) Chapter 18. in Ruffhead's Edition.
([11]) Chapter 20. in Ruffhead's Edition.
([12]) Chapter 23. in Ruffhead's Edition.

c. 33. (1)	An Act for raising the Militia for the Year One thousand seven hundred and twelve although the Months Pay formerly advanced be not repaid and for rectifying a Mistake in an Act passed this Session of Parliament intituled An Act for punishing Mutiny and Desertion and False Musters and for the better Payment of the Army and Quarters and for taking Accounts of Trophy Money formerly raised and collected.
c. 34. (2)	An Act for making effectual such Agreem^{t}. as shall be made between the Royal African Company of England and their Creditors.
c. 35. (3)	An Act for continuing the Trade and Corporation Capacity of the United East India Company although their Fund should be redeemed.
c. 37. (4)	An Act for continuing the Trade to the South Seas granted by an Act of the last Session of Parliament although the Capital Stock of the said Corporation should be redeemed.
c. 38. (5)	An Act for the appointing Commissioners to take examine and determine the Debts due to the Army Transport Service and Sick and Wounded.
c. 39. (6)	An Act for enlarging the Time for the Ministers Advocates and other Members of the College of Justice in Scotland to take the Oaths therein mentioned.
c. 40. (7)	An Act for the appointing the Circuit Courts in that Part of Great Britain called Scotland to be kept only Once in the Year.
c. 41. (8)	An Act for explaining several Clauses in an Act passed the last Session of Parliament for the Relief of the Sufferers of the Islands of Nevis and Saint Christopher by reason of the Invasion of the French there in the Year One thousand seven hundred and five.
12 Ann. (9) c. 1.	An Act for granting an Aid to Her Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and thirteen.
c. 2.	An Act for granting to Her Majesty Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and thirteen and for making forth Duplicates of Lottery Tickets lost burnt or destroyed and for enlarging the Time for adjusting Claims in several Lottery Acts and to punish the counterfeiting or forging of Lottery Orders and for explaining a late Act in relation to Stamp Duties on Customary Estates which pass by Deed and Copy.
c. 3.	An Act to revive and continue the Act for taking examining and stating the Publick Accounts of the Kingdom and also to continue the Act for appointing Commissioners to take examine and determine the Debts due to the Army Transport Service and Sick and Wounded.
c. 5.	An Act to explain a Clause in an Act of the last Session of Parliament intituled An Act for the more effectual preventing fraudulent Conveyances in order to multiply Votes for the electing Knights of Shires to serve in Parliament as far as the same relates to the ascertaining the Value of Freeholds of Forty Shillings per Annum.
c. 6.	An Act for the better regulating the Elections of Members to serve in Parliament for that Part of Great Britain called Scotland.
c. 8.	An Act for raising the Militia for the Year One thousand seven hundred and thirteen although the Months Pay formerly advanced be not repaid.
c. 9.	An Act for continuing an Act made in the Third and Fourth Years of the Reign of Her present Majesty intituled An Act for encouraging the Importation of Naval Stores from Her Majesties Plantations in America and for encouraging the Importation of Naval Stores from that Part of Great Britain called Scotland to that Part of Great Britain called England.

(1) Chapter 25. in Ruffhead's Edition.
(2) Chapter 27. in Ruffhead's Edition.
(3) Chapter 28. in Ruffhead's Edition.
(4) Chapter 30. in Ruffhead's Edition.
(5) Chapter 31. in Ruffhead's Edition.
(6) Chapter 32. in Ruffhead's Edition.
(7) Chapter 33. in Ruffhead's Edition.
(8) Chapter 34. in Ruffhead's Edition.
(9) 12 Ann. Stat. 1. in Ruffhead's Edition.

c. 10.	An Act for continuing the Acts therein mentioned for preventing Theft and Rapine upon the Northern Borders of England.
c. 11.	An Act to raise Twelve hundred thousand Pounds for publick Uses by circulating a further Sum in Exchequer Bills and for enabling Her Majesty to raise Five hundred thousand Pounds on the Revenues appointed for Uses of Her Civill Government to be applied for or towards Payment of such Debts and Arrears owing to Her Servants Tradesmen and others as are therein mencõned.
c. 12. ([1])	An Act for the better Encouragement of the making of Sail Cloth in Great Britain.
c. 13. ([2])	An Act for the better regulating the Forces to be continued in Her Majesties Service and for the Payment of the said Forces and of their Quarters.
c. 14. ([3])	An Act to enable such Officers and Soldiers as have been in Her Majesties Service during the late War to exercise Trades and for Officers to account with their Soldiers.
c. 16. ([4])	An Act for making perpetual an Act made in the Seventh Year of the Reign of the late King William intituled An Act to prevent false and double Returns of Members to serve in Parliament.
c. 18.	An Act for making perpetual the Act made in the Thirteenth and Fourteenth Years of the Reign of the late King Charles the Second intituled An Act for the better Relief of the Poor of this Kingdom and that Persons bound Apprentices to or being hired Servants with Persons coming with Certificates shall not gain Settlements by such Services or Apprenticeships and for making perpetual the Act made in the Sixth Year of Her present Majesties Reign intituled An Act for the Importation of Cochineal from any Ports in Spain during the present War and Six Months longer and for reviving a Clause in an Act made in the Ninth and Tenths Years of the Reign of the late King William (intituled An Act for settling the Trade to Africa) for allowing Foreign Copper Bars imported to be exported.
13 Ann. ([5]) c. 1.	An Act for granting an Aid to Her Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and fourteen.
c. 2. ([6])	An Act for charging and continuing the Duties upon Malt Mum Cyder and Perry for the Service of the Year One thousand seven hundred and fourteen and for the Encouragement of the distilling Brandy from malted Corn and Cyder and for making forth Duplicates of Exchequer Bills and Lottery Tickets lost burnt or destroyed and to enable the Governor and Company of the Bank of England and others to lend Money upon South Sea Stock.
c. 4.	An Act for the better regulating the Forces to be continued in Her Majesties Service and for the Payment of the said Forces and of their Quarters.
c. 5.	An Act for taking away the new additional Duty of Thirty Pounds per Centum ad valorem imposed upon all Books and Prints imported into Great Britain by an Act made in the Tenth Year of the Reign of Her present Majesty Queen Anne.
c. 8.	An Act for encouraging the Tobacco Trade.
c. 9. ([7])	An Act for raising the Militia for the Year One thousand seven hundred and fourteen altho' the Months Pay formerly advanced be not repaid And for rectifying a Mistake in an Act passed in this present Session of Parliament intituled An Act for the regulating the Forces to be continued in Her Majesties Service and for Payment of the said Forces and their Quarters.
c. 10. ([8])	An Act to prevent the listing Her Majesties Subjects to serve as Soldiers without Her Majesties Licence.

([1]) Chapter 16. in Ruffhead's Edition.
([2]) Chapter 12. in Ruffhead's Edition.
([3]) Chapter 13. in Ruffhead's Edition.
([4]) Chapter 15. in Ruffhead's Edition.
([5]) 12 Ann. Stat. 2. in Ruffhead's Edition.
([6]) Chapter 3. in Ruffhead's Edition.
([7]) Chapter 10. in Ruffhead's Edition.
([8]) Chapter 11. in Ruffhead's Edition.

Statute Law Revision.

c. 12. (1)	An Act to discharge and acquit the Commissioners of Equivalent for the Sum of Three hundred eighty one thousand five hundred and nine Pounds Fifteen Shillings Ten Pence Half peny by them duly issued out of the Sum of Three hundred ninety eight thousand [eighty] five Pounds Ten Shillings which they received.	
c. 13. (2) in part.	An Act for rendring more effectual an Act made in the Third Year of the Reign of King James the First intituled An Act to prevent and avoid Dangers which may grow by Popish Recusants And also of one other Act made in the First Year of the Reign of their late Majesties King William and Queen Mary intituled An Act to vest in the Two Universities the Presentations of Benefices belonging to Papists And for vesting in the Lords of Justiciary Power to inflict the same Punishments against Jesuits Priests and other trafficking Papists which the Privy Council of Scotland was impowered to do by an Act passed in the Parliament of Scotland intituled An Act for preventing the Growth of Popery - - - -	in part; namely:—
	The last Section.	
c. 18. (3) in part.	An Act for laying additionall Duties on Sope and Paper and upon certain Linnens Silks Callicoes and Stuffs and upon Starch and exported Coals and upon stampt Vellum Parchment and Paper for raising One million four hundred thousand Pounds by way of a Lottery for Her Majesties Supply and for Allowances on exporting made Wares of Leather Sheep Skins and Lamb Skins and for Distribution of Four thousand Pounds due to the Officers and Seamen for Gun Money and to adjust the Property of Tickets in former Lotteries and touching certain Shares of Stock in the Capital of the South Sea Company and for appropriating the Monies granted to Her Majesty - -	:—
	Except Sections Twenty-one to Thirty.	
c. 22. (4)	An Act to explain a Clause in an Act of Parliament of the Tenth Year of Her Majesties Reign for laying several Duties upon all Sope and Paper made in Great Britain or imported into the same and upon chequered and striped Linens imported and upon certain Silks Callicoes Linens and Stuffs printed painted or stained and upon several Kinds of stampt Vellum Parchment and Paper and upon certain printed Pamphlets and Advertisements for raising the Sum of Eighteen hundred thousand Pounds by Way of a Lottery and for other Purposes in the said Act mentioned so far as the said Act relates to Lawns Canvas Buckrams Barras and Silesia Neckcloaths.	
c. 24. (5)	An Act to explain Part of an Act made in the Seventh Year of Her Majesties Reign (for enlarging the Capital Stock of the Bank of England and for raising a further Supply to Her Majesty for the Service of the Year One thousand seven hundred and nine) so far as the same relates to unwrought Incle imported into this Kingdom.	

George I.

1 Geo. 1. Stat. 1. c. 1.	An Act for the better Support of His Majesty's Household and of the Honour and Dignity of the Crown of Great Britain.	
c. 2. in part.	An Act for rectifying Mistakes in the Names of the Commissioners for the Land Tax for the Year One thousand seven hundred and fourteen, and for raising so much as is wanting to make up the Sum of Fourteen hundred thousand Pounds intended to be raised by a Lottery for the Public Service in the said Year - - - - -	:—
	Except Sections Two to Five.	

(1) Chapter 13. in Ruffhead's Edition.
(2) Chapter 14. in Ruffhead's Edition.
(3) Chapter 9. in Ruffhead's Edition.
(4) Chapter 19. in Ruffhead's Edition.
(5) Chapter 21. in Ruffhead's Edition.

Statute Law Revision.

c. 3.	An Act to enable Persons now residing in Great Britain to take the Oaths and do all other Acts in Great Britain requisite to qualify themselves to continue their respective Places, Offices, and Employments in Ireland.
1 Geo. 1. Stat. 2. c. 1.	An Act for granting an Aid to His Majesty to be raised by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and fifteen.
c. 2. in part.	*An Act the title of which begins with the words,*—An Act for charging and continuing the Duties on Malt,—*and ends with the words,*—for continuing certain Duties on Hops until the First Day of August One thousand seven hundred and fifteen - - - - :— Except Section Thirteen.
c. 3.	An Act for the better regulating the Forces to be continued in His Majesty's Service, and for the Payment of the said Forces and of their Quarters.
c. 4.	An Act to explain the Act made in the Twelfth Year of the Reign of King William the Third, intituled An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject.
c. 6. in part.	*An Act the title of which begins with the words,*—An Act for making perpetual an Act of the Seventh and Eighth Years of the Reign of His late Majesty King William the Third,—*and ends with the words,*—instead of the Oath of Abjuration - - - - in part; namely,— Section One, and Section Three as to Form of Affirmation, that is to say, from "I A.B. do truly" to "heartily, willingly, and truly."
c. 7.	An Act for continuing the Imprisonment of Robert Blackburn and others for the horrid Conspiracy to assassinate the Person of His late Sacred Majesty King William the Third.
c. 8.	An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.
c. 9.	An Act for the better preventing Mutiny and Desertion, by enforcing and making more effectual an Act of this present Parliament, intituled An Act for the better regulating the Forces to be continued in His Majesties Service, and for the Payment of the said Forces and their Quarters.
c. 13. in part.	An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the Pretended Prince of Wales and his open and secret Abettors - - - - - - in part; namely,— Section One as to Form of Oath of Abjuration, that is to say, from "I A.B. do truly and sincerely" to "So help me God," Section Three as to Form of Assurance, that is to say, from "I A.B. do, in the Sincerity" to "thereof," Sections Four, Six, Fifteen, Twenty-one, Twenty-three to Twenty-five, Twenty-eight to Thirty, and the last Section from "from and after" to "and that."
c. 14.	An Act for making the Militia of that Part of Great Britain called England more useful; and for obliging an annual Account to be made of Trophy Money.
c. 18. in part.	An Act for the better preventing fresh Fish taken by Foreigners being imported into this Kingdom; and for the Preservation of the Fry of Fish; and for the giving Leave to import Lobsters and Turbots in Foreign Bottoms; and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom called England - - :— Except Sections Four to Nine, and Seventeen.
c. 20. in part.	*An Act the title of which begins with the words,*—An Act for encouraging all Superiors, Vassals, Landlords, and Tenants in Scotland,—*and ends with the words,*—and for the better disarming disaffected Persons in Scotland - - - - - - in part; namely,— Sections One to Twelve and Sixteen.

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c. 22. An Act for enabling His Majesty to settle a Revenue for supporting the Dignity of Her Royal Highness the Princess in case she shall survive His Royal Highness the Prince of Wales.

c. 24. An Act for appointing Commissioners to take, examine, and state the Debts due to the Army.

c. 25. *An Act the title of which begins with the words,*—An Act to prevent Disturbances by Seamen and others,—*and ends with the words,*—and for reviving and continuing an Act for the more effectual Suppression of Piracy.

c. 26. in part. An Act for continuing several Laws therein mentioned relating to Coals, Hemp, and Flax, Irish and Scotch Linen, and the Assize of Bread; and for giving Power to adjourn the Quarter Sessions for the County of Anglesea for the Purposes therein mentioned - - :—
Except the last Section.

c. 27. An Act for taking and stating the Debts due and growing due to Scotland by way of Equivalent in the Terms of the Union; and for Relief of the Creditors of the Public in Scotland and the Commissioners of the Equivalent.

c. 28. An Act for repealing an Act intituled An Act for repealing Part of an Act passed in the Parliament of Scotland, intituled Act for discharging the Yule Vacance.

c. 29. An Act for allowing a Time for Two hundred and thirteen Families of Protestant Palatines now settled in Ireland to take the Oaths in order to entitle them to all the Benefits intended them by the Act of the Seventh Year of Her late Majesty's Reign for naturalizing Foreign Protestants.

c. 30. An Act for continuing an Act of this present Session of Parliament, intituled An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against his Person and Government.

c. 31. An Act for granting an Aid to His Majesty by a Land Tax in Great Britain for the Service of the Year One thousand seven hundred and sixteen.

c. 33. An Act for the more easy and speedy Trial of such Persons as have levied or shall levy War against His Majesty.

c. 34. An Act for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 35. An Act to appoint a Commissioner for taking, examining, and stating the Debts due to the Army, in the Room of Thomas Smith, Esquire, deceased; and for continuing the former Act until the Tenth Day of March One thousand seven hundred and sixteen.

c. 36. *An Act the title of which begins with the words,*—An Act for charging and continuing the Duties on Malt,—*and ends with the words,*—and for preventing Frauds in the Duties relating to printed and painted Paper, Calicoes, and other Things therein mentioned.

c. 39. An Act to indemnify such Persons who have acted in defence of His Majesty's Person and Government, and for the Preservation of the Public Peace of this Kingdom, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Prosecutions.

c. 40. An Act for the free Importation of Cochineal during the Time therein limited.

c. 41. An Act for giving Liberty to Persons who have served their Apprenticeships to any Part of the Woollen Manufacture in Colchester to work at their said Trades and at the making Bays within the said Town.

c. 43. An Act to continue Duties for encouraging the Coinage of Money; and to charge the Duties on Senna as a medicinal Drug; and for the appropriating several Supplies granted to His Majesty.

c. 45. An Act for holding the Assize for the County of Cornwall at a convenient Place within the said County.

c. 47. An Act for the more effectual and exemplary Punishment of such Persons as shall seduce Soldiers to desert, or who, being Papists, shall inlist themselves in His Majesty's Service in Great Britain or Ireland, or in the Islands of Jersey or Guernsey.

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c. 51. An Act for repealing so much of the Act of the Twelfth and Thirteenth Years of the Reign of King William the Third, intituled An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, as enacts that no Person who should come to the Possession of the Crown shall go out of the Dominions of England, Scotland, or Ireland without Consent of Parliament.

c. 54. in part. An Act for the more effectual securing the Peace of the Highlands in Scotland - - - - - - - - - - :—
Except Sections Ten to Fourteen.

c. 57. An Act for better regulating Hackney Coaches, Carts, Drays, Cars, and Waggons within the Cities of London and Westminster and the Weekly Bills of Mortality; and for preventing Mischiefs occasioned by the Drivers riding upon such Carts, Drays, Cars, and Waggons.

3 Geo. 1. c. 1. An Act to enable His Majesty effectually to prohibit or restrain Commerce with Sweden.

c. 2. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 3. An Act for granting an Aid to His Majesty by a Land Tax in Great Britain, for the Service of the Year One thousand seven hundred and seventeen.

c. 4. *An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for preventing Frauds in the Duties on Low Wines and Spirits carried Coastwise.

c. 10. in part. An Act for the better collecting and levying the Revenue of the Tenths of the Clergy - - - in part; namely,—
Section Four from "nothing" to "and that."

c. 12. *An Act the title of which begins with the words,*—An Act to empower Commissioners in Commissions of Bankrupts,—*and ends with the words,*—and for continuing a Clause in a former Act for adjusting Accounts between Bankrupts and their Debtors.

c. 13. An Act for the better regulating of Pilots for the conducting of Ships and Vessels from Dover, Deal, and the Isle of Thanet, up the Rivers of Thames and Medway.

c. 14. An Act to continue an Act of the First Year of His Majesty's Reign, intituled An Act for taking and stating the Debts due and growing due to Scotland by way of Equivalent, in the Terms of the Union; and for Relief of the Creditors of the Public, and the Commissioners of the Equivalent.

c. 15. in part. An Act for the better regulating the Office of Sheriffs, and for ascertaining their Fees and the Fees for suing out their Patents, and passing their Accounts - - in part; namely,—
Sections Two, Four, Seven, Seventeen, Section Nineteen from "which said Oath" to end of that Section, and Sections Twenty-two and Twenty-three.

c. 17. An Act to enable His Majesty to appoint Commissioners to take, examine, state, and determine the Debts due to the Army.

c. 19. An Act for the King's most gracious, general, and free Pardon.

c. 21. An Act for continuing the Liberty of exporting Irish Linen Cloth to the British Plantations in America Duty free; and for the more effectual Discovery of and prosecuting such as shall unlawfully export Wool and Woollen Manufactures from Ireland; and for Relief of John Flotcher, in respect of the Duty by him paid for a Quantity of Salt lost in the Exportation for Ireland.

4 Geo. 1. c. 1. An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and eighteen.

c. 2. An Act to enable His Majesty to be Governor of the South Sea Company.

c. 3. *An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for appropriating the Supplies granted in this Session of Parliament.

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c. 4.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 6.	An Act for Relief of the wholesale Traders and Dealers in English Bonelace, by obviating several Doubts in the several Acts for licensing Hawkers and Pedlars.
c. 9.	An Act to appoint Commissioners to take, examine, state, and determine the Debts due to the Army; and to examine and state the Demands of several Foreign Princes and States for Subsidies during the late War.
5 Geo. 1. c. 1.	An Act for granting to His Majesty an Aid by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and nineteen.
c. 2.	*An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for better securing the Duties on Hides and Skins, Vellum and Parchment.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 6.	An Act for quieting and establishing Corporations.
c. 7.	An Act for continuing an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled An Act for encouraging the Tobacco Trade.
c. 11. in part.	An Act against clandestine running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs - - :— Except Section Twenty-three.
c. 14.	An Act to continue the Commissioners appointed to examine, state, and determine the Debts due to the Army, and to examine and state the Demands of several Foreign Princes and States for Subsidies during the late War.
c. 18.	An Act for recovering the Credit of the British Fishery in Foreign Parts; and for better securing the Duties on Salt.
c. 20. in part.	An Act for settling certain yearly Funds payable out of the Revenue of Scotland, to satisfy Public Debts in Scotland, and other Uses mentioned in the Treaty of Union, and to discharge the Equivalents claimed on behalf of Scotland in the Terms of the same Treaty; and for obviating all future Disputes, Charges, and Expenses concerning those Equivalents - - in part; namely,— Sections Five to Thirteen, and Section Nineteen to end of Act.
c. 23.	An Act for appointing a Commissioner and Trustee to put in execution the Powers and Authorities of the several Acts of Parliament relating to the forfeited Estates, and Estates given to superstitious Uses, in the Room of George Treby Esq., who has desired to be discharged from the said Trusts.
c. 24.	An Act for the better preventing Frauds committed by Bankrupts.
c. 25.	An Act for continuing the Act made in the Eighth Year of the Reign of the late Queen Anne, to regulate the Price and Assize of Bread; and for continuing the Act made in the Twelfth Year of Her said late Majesty's Reign, for the better Encouragement of the making Sail Cloth in Great Britain.
c. 29. in part.	An Act for making more effectual the Laws appointing the Oaths for Security of the Government, to be taken by Ministers and Preachers in Churches and Meeting Houses in Scotland - - - - in part; namely,— Section One as to Form of Oath of Abjuration, that is to say, from "I *A.B.* do truly" to "So help me God." Section Three, Section Four from "or if any Person" to end of that Section, and Section Six.
c. 32.	An Act for Relief of such Sufferers of the Islands of Nevis and St. Christopher's as have settled in either of those Islands, and made due Proof of such Settlement before the Twenty-fifth Day of December, One thousand seven hundred and twelve.

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6 Geo. 1. c. 1.	An Act for granting to His Majesty an Aid by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and twenty.
c. 2.	An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and twenty; and for enabling the Lords Commissioners of His Majesty's Treasury to call in such Exchequer Bills as are to be cancelled and discharged with Money appointed for that Purpose.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 12.	An Act for preventing of Frauds and Abuses in the Allowances on damaged Wines, and for lengthening the Time for the Drawbacks on the Exportation of Wines.
c. 13.	An Act for ascertaining the Breadths, and preventing Frauds and Abuses in manufacturing Serges, Pladings, and Fingrums, and for regulating the Manufactures of Stockings in that Part of Great Britain called Scotland.
c. 17.	An Act for appointing Commissioners to examine, state, and determine the Debts due to the Army; and to examine and state the Demands of several Foreign Princes and States for Subsidies during the late War.
c. 18. in part.	An Act for better securing certain Powers and Privileges intended to be granted by His Majesty by Two Charters for Assurance of Ships and Merchandises at Sea, and for lending Money upon Bottomry; and for restraining several extravagant and unwarrantable Practices therein mentioned - - - - } in part; namely,— Sections Two, Three, Twelve and Eighteen to Twenty-eight.
c. 19.	*An Act the title of which begins with the words,*—An Act for making perpetual so much of an Act—*and ends with the words,*—His Majesty's Ships of War and Forces by Sea.
c. 21. in part.	An Act for preventing Frauds and Abuses in the Public Revenues of Excise, Customs, Stamp Duties, Post Office, and House Money - } :— Except Sections Fifty-three, Fifty-four and Fifty-six.
c. 22.	An Act for Relief of Insolvent Debtors, and for the more easy Discharge of Bankrupts out of Execution, after their Certificates allowed.
7 Geo. 1. Stat. 1. c. 1.	*An Act the title of which begins with the words,*—An Act for restraining the Sub-Governor, Deputy-Governor, Directors, Treasurer or Cashier, Deputy-Cashier, and Accountant of the South Sea Company,—*and ends with the words,*—and for preventing the transporting or alienating the same.
c. 2.	*An Act the title of which begins with the words,*—An Act to disable the present Sub-Governor, Deputy Governor, and Directors of the South Sea Company,—*and ends with the words,*—and from voting upon Elections in the said Company.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-one.
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 7.	*An Act the title of which begins with the words,*— An Act to preserve and encourage the Woollen and Silk Manufactures of this Kingdom,—*and ends with the words,*—(except as therein is excepted).
c. 20.	*An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for appropriating the Monies granted in this Session of Parliament.
c. 21.	An Act for the further preventing His Majesty's Subjects from trading to the East Indies under Foreign Commissions; and for encouraging and further securing the lawful Trade thereto; and for further regulating the Pilots of Dover, Deal, and the Isle of Thanet. Repealed as to all Her Majesty's Dominions.

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c. 28. *An Act the title of which begins with the words,*—An Act for raising Money upon the Estates of the late Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Accountant of the South Sea Company,—*and ends with the words,*—and for other Purposes in the said Act expressed.

c. 29. An Act for the King's most gracious, general, and free Pardon.

c. 30. An Act for appointing Commissioners to examine, state, and determine the Debts due to the Army.

8 Geo. 1. c. 1. An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-two.

c. 2. in part. *An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for enlarging the Time for the Accountant General of the Bank of England to return Duplicates of Annuities into the Exchequer - - - -:—
Except Sections Thirty-six and Thirty-seven.

c. 3. An Act for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 4. *An Act the title of which begins with the words,*—An Act for taking off the Duty upon all Salt,—*and ends with the words,*—and for the better securing the Duties on Salt delivered in Scotland.

c. 6. in part. An Act for granting the People called Quakers such Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under - in part; namely,—
Section One as to Form importing the Effect of the Abjuration Oath, namely, from "I A.B. do solemnly, sincerely, and truly acknowledge" to "heartily, willingly, and truly."

c. 8. *An Act the title of which begins with the words,*—An Act to enable His Majesty effectually to prohibit Commerce (for the Space of One Year) with any Country that is or shall be infected with the Plague,—*and ends with the words,*—and to hinder the spreading of Infection.

c. 10. An Act for repealing such Clauses in the Act passed in the Seventh Year of His Majesty's Reign (relating to Quarantine and the Plague) as give Power to remove Persons from their Habitations, or to make Lines about Places infected.

c. 12. An Act giving further Encouragement for the Importation of Naval Stores; and for other Purposes therein mentioned.
Repealed as to all Her Majesty's Dominions.

c. 15. in part. *An Act the title of which begins with the words,*—An Act for Encouragement of the Silk Manufactures of this Kingdom,—*and ends with the words,*—and that the Two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suit - - - - - - - -:—
Except the last Section.

c. 16. *An Act the title of which begins with the words,*—An Act for taking off the Duty upon all Salt,—*and ends with the words,*—and for giving farther Relief to the Refiners of Rock Salt.

c. 18. An Act to prevent the clandestine running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarantine; and to subject Copper Ore, of the Production of the British Plantations, to such Regulations as other enumerated Commodities of the like Production are subject.

c. 23. An Act for prolonging the Times for hearing and determining Claims before the Trustees in whom the Estates of the late South Sea Directors and of John Aislabie, Esq., and likewise of James Craggs, Esq., deceased, are vested; and for other Purposes therein mentioned.

c. 24. in part. An Act for the more effectual suppressing of Piracy - in part; namely,—
The last Section from "and shall continue" to the end.

c. 25. in part. An Act for supplying some Defects in the Statute of the Twenty-third of King Henry the Eighth, intituled An Act for obligations to be taken by Two Chief Justices, the Mayor of the Staple, and the Recorder of London; and for setting down the Time of signing Judgments in the Principality of Wales and Counties Palatine - - - :—
Except the last Section.

9 Geo. 1. c. 1. An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.

c. 2. An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-three.

c. 3. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by way of a Lottery, for the Service of the Year One thousand seven hundred twenty-three.

c. 4. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 8. in part. *An Act the title of which begins with the words,*—An Act for continuing some Laws, and reviving others therein mentioned,—*and ends with the words,*—Frauds in mixing Silk with Stuffs to be exported - - :—
Except Sections Three to Five.

c. 18. *An Act the title of which begins with the words,*—An Act for granting an Aid to His Majesty by laying a Tax upon Papists,—*and ends with the words,*—such Forfeitures as are therein more particularly described.

c. 19. in part. *An Act the title of which begins with the words,*—An Act to continue the Duties for Encouragement of the Coinage of Monies,—*and ends with the words,*—and to rectify Misnomers and Omissions of Commissioners for the Land Tax in the Year One thousand seven hundred and twenty-three - - - - - - - :—
Except Sections Four, Five, Fifteen, Eighteen and Nineteen.

c. 21. An Act for enabling His Majesty to put the Customs of Great Britain under the Management of One or more Commissions; and for better securing and ascertaining the Duties on Tobacco; and to prevent Frauds in exporting Tobacco and other Goods and Merchandises, or carrying the same Coastwise.

c. 23. An Act for further enlarging the Times for entering, hearing, and determining Claims on the Estates vested in the Trustees of the South Sea Company; and for obliging Persons to claim Stock by the Time therein mentioned for Money Subscriptions; and for other the Purposes therein mentioned.

c. 24. An Act to oblige all Persons, being Papists, in that Part of Great Britain called Scotland and all Persons in Great Britain, refusing or neglecting to take the Oaths appointed for the Security of His Majesty's Person and Government by several Acts herein mentioned, to register their Names and Real Estates.

c. 28. An Act for more effectual Execution of Justice in a pretended privileged Place in the Parish of St. George in the County of Surrey, commonly called the Mint; and for bringing to speedy and exemplary Justice such Offenders as are therein mentioned; and for giving Relief to such Persons as are proper Objects of Charity and Compassion there.

10 Geo. 1. c. 1. An Act for granting an Aid to His Majesty by a Land Tax in Great Britain, to be raised for the Service of the Year One thousand seven hundred twenty-four.

c. 2. *An Act the title of which begins with the words,*—An Act for continuing the Duties on Malt,—*and ends with the words,*—and for appropriating the Supplies granted in this Session of Parliament.

c. 3. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 4. *An Act the title of which begins with the words,*—An Act for explaining and amending an Act of the last Session of Parliament,—*and ends with the words,*—and also for giving Relief to Protestant Lessees.

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c. 10. in part.	An Act for repealing certain Duties therein mentioned, payable upon Coffee, Tea, Cocoa Nuts, Chocolate, and Cocoa Paste imported; and for granting certain Inland Duties in lieu thereof; and for prohibiting the Importation of Chocolate ready made, and Cocoa Paste; and for better ascertaining the Duties payable upon Coffee, Tea, and Cocoa Nuts imported; and for granting Relief to Robert Dalzell, late Earl of Carnwath - - - - - - - -	:—
	Except Sections Nine, Ten, Fourteen and Forty-one.	
c. 11.	An Act to prevent Multiplicity of Prosecutions upon an Act made in the Eleventh and Twelfth Year of the Reign of His late Majesty King William the Third, intituled An Act for the more effectual employing the Poor by encouraging the Manufactures of this Kingdom.	
c. 14.	*An Act the title of which begins with the words,*—An Act for enlarging the Times for hearing and determining Claims,—*and ends with the words,*—and for other Purposes therein mentioned.	
c. 16.	An Act for encouraging the Greenland Fishery.	
c. 17.	An Act for continuing Acts for preventing Theft and Rapine upon the Northern Borders of England; and for better regulating of Pilots; and for regulating the Price and Assize of Bread; and for better Encouragement of the making of Sail Cloth in Great Britain.	
c. 18.	An Act to explain and amend an Act passed in the Sixth Year of His Majesty's Reign, intituled An Act for ascertaining the Breadths and preventing Frauds and Abuses in manufacturing Serges, Pladings, and Fingrums, and for regulating the Manufactures of Stockings in that Part of Great Britain called Scotland, so far as the same relates to Serges.	
c. 19. in part.	An Act for explaining the Law concerning the Trial and Admission of the ordinary Lords of Session -	in part; namely,—
	Section Two.	
c. 20.	An Act for the better viewing, searching, and examining all Drugs, Medicines, Waters, Oils, Compositions, used or to be used for Medicines, in all Places where the same shall be exposed to Sale, or kept for that Purpose within the City of London and Suburbs thereof, or within Seven Miles Circuit of the said City.	
11 Geo. 1. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-five.	
c. 2.	An Act for indemnifying the Masters in Chancery, upon their discovering what Consideration, Price, or Gratuity they paid or agreed to pay for the Purchase of, or for their Admission to their respective Offices.	
c. 4. in part.	An Act for preventing the Inconveniences arising for want of Elections of Mayors, or other Chief Magistrates of Boroughs or Corporations being made upon the Days appointed by Charter or Usage for that Purpose, and directing in what Manner such Elections shall be afterwards made - - - -	in part; namely,—
	Section Eight from "nor to make good" to end of that Section.	
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.	
c. 7.	*An Act the title of which begins with the words,*—An Act for rating such unrated Goods and Merchandises as are usually imported into this Kingdom, —*and ends with the words,*—and for ascertaining the Method of admeasuring Pictures imported.	
c. 8.	*An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt,—*and ends with the words,*—and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.	
c. 21.	An Act for the Relief of Insolvent Debtors.	

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c. 22. An Act to prevent Violences and Outrages being committed by any Persons, under Pretence of sheltering themselves from Debt, or any Process of Law, within the Hamlet of Wapping-Stepney, or elsewhere, within the Weekly Bills of Mortality.

c. 26. in part. An Act for more effectual disarming the Highlands in that Part of Great Britain called Scotland; and for the better securing the Peace and Quiet of that Part of the Kingdom - - - - - - } in part; namely,—
Sections One to Ten and Thirteen.

c. 28. An Act for the better regulating of Buildings, and to prevent Mischiefs that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned.

c. 29. An Act to continue several Acts therein mentioned for preventing Frauds committed by Bankrupts; for encouraging the Silk Manufactures of this Kingdom; for preventing the clandestine running of Goods; for making Copper Ore of the British Plantations an enumerated Commodity; and for explaining and amending a late Act for more effectual Punishment of such as shall wilfully burn or destroy Ships.

c. 30. in part. An Act for more effectual preventing Frauds and Abuses in the Public Revenues; for preventing Frauds in the Salt Duties, and for giving Relief for Salt used in the curing of Salmon and Codfish, in the Year One thousand seven hundred and nineteen, exported from that Part of Great Britain called Scotland; for enabling the Insurance Companies to plead the General Issue in Actions brought against them; and for securing the Stamp Duties upon Policies of Insurance - - } :—
Except Sections Five, Nine, Thirty-two, Thirty-nine, Forty-three, and Forty-four.

12 Geo. 1. c. 1. An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-six.

c. 3. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 4. in part. *An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry,—*and ends with the words,*—and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders lost, burnt, or otherwise destroyed - - } :—
Except Sections Forty-eight to Fifty-nine.

c. 12. *An Act the title of which begins with the words,*—An Act for granting an Aid to His Majesty,—*and ends with the words,*—and for appropriating the Supplies granted in this Session of Parliament.

c. 26. An Act for repealing the Duty laid upon Snuff, by an Act made in the Eighth Year of Her late Majesty's Reign, and for ascertaining the Rates according to which the remaining Duties are to be paid, and for giving further Encouragement to the Greenland Fishery.

c. 28. An Act for the Improvement of His Majesty's Revenues of Customs, Excise, and Inland Duties.

c. 29. in part. An Act to prevent frivolous and vexatious Arrests - in part; namely,—
The last Section.

c. 30. An Act for continuing an Act made in the Ninth Year of His Majesty's Reign, intituled An Act for the more effectual punishing wicked and evil disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of His Majesty's Subjects, and for the more speedy bringing the Offenders to Justice.

c. 33. in part. An Act for Relief of the Suitors of the High Court of Chancery:—
Except Section Twenty.

c. 34. in part. An Act to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages - - - - - - } in part; namely,—
Section Four.

c. 35.	An Act to prevent Abuses in the making of Bricks and Tiles, and to ascertain the Dimensions thereof, and to prevent all unlawful Combinations amongst any Brickmakers or Tilemakers within Fifteen Miles of the City of London, in order to advance or enhance the Price of Bricks or Tiles.
13 Geo. 1. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain for the Service of the Year One thousand seven hundred and twenty-seven.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 5.	An Act for importing Salt from Europe into the Province of Pennsylvania in America.
c. 7.	*An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt,—*and ends with the words,*—and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 8.	An Act to enable the South Sea Company, with the Licence and Consent of the East India Company, to take in Negroes within their Limits of Trade, and to deliver the same at Buenos Ayres.
c. 22.	*An Act the title of which begins with the words,*—An Act for enlarging the Times for hearing and determining Claims,—*and ends with the words,*—South Sea Company.
c. 26. in part.	An Act for better Regulation of the Linen and Hempen Manufactures in that Part of Great Britain called Scotland - - - - - :— Except Sections Ten, Eighteen, and Thirty to Thirty-two.
c. 27.	An Act for continuing the Laws therein mentioned, relating to Copper Bars exported, and for better preventing Frauds committed by Bankrupts, and for searching Drugs and Compositions for Medicines.
c. 29.	An Act for allowing further Time to Persons on board the Fleet, or beyond the Seas in His Majesty's Service, to qualify themselves for the legal Enjoyment of Offices and Employments; and for indemnifying such Persons as have omitted to qualify themselves within the Time limited for that Purpose; and for the better ascertaining such Time.

George II.

1 Geo. 2. Stat. 1. c. 1.	An Act for the better Support of His Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain.
c. 2.	An Act to enable His Majesty to be Governor of the South Sea Company.
c. 3.	An Act for enabling His Majesty to settle a Revenue for supporting the Royal Dignity of the Queen, in case She shall survive His Majesty.
c. 4.	An Act for continuing the Imprisonment of Robert Blackburn, and others for the horrid Conspiracy to assassinate the Person of His late Sacred Majesty King William the Third, of glorious Memory.
c. 5. in part.	*An Act the title of which begins with the words,*—An Act for making further Provisions to enable Persons possessed of Offices at the Demise of His late Majesty,—*and ends with the words,*—and for continuing such Laws as would expire at the End of this Session of Parliament - :— Except Section Seven.
1 Geo. 2. Stat. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and twenty-eight; and for making good the Deficiency of a late Malt Act.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 5.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and twenty-eight.
c. 9.	An Act for granting an Aid to His Majesty of Five hundred thousand Pounds, towards discharging Wages due to Seamen, and for the constant, regular, and punctual Payment of Seamen's Wages for the future; and for appropriating the Supplies granted in this present Session of Parliament; and for disposing of the Surplus of the Money granted for Half Pay for the Year One thousand seven hundred and twenty-seven.
c. 13.	An Act to oblige Ships coming from Places infected more effectually to perform their Quarantine, and for the better preventing the Plague being brought from Foreign Parts into Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man; and to hinder the spreading of Infection.
c. 16.	An Act for removing Doubts concerning the additional Duty of Two Pence per Gallon upon Low Wines, and Spirits of the first Extraction, from Foreign Materials; and for obviating Questions relating to Appeals in Matters of Excise; and for appointing the Number of Commissioners of Excise who may hear Causes depending before them.
c. 17.	*An Act the title of which begins with the words,*—An Act for repealing the present Duties on Wine Lees, and Lignum Vitæ,—*and ends with the words,* —and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 19.	An Act for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks, or other Works, erected by Authority of Parliament, for making Rivers navigable.
c. 23.	An Act for indemnifying Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose; and for repealing so much of Two Acts of Parliament therein mentioned, as requires Persons to qualify themselves to continue in Offices or Employments for the Space of Six Months, after the Demise of His Majesty, His Heirs, or Successors.
2 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and twenty-nine; and for making good the Deficiency of a late Malt Act.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain for the Service of the Year One thousand seven hundred and twenty-nine.
c. 6.	An Act for making good the Loss occasioned by a Sum of Money being stolen out of His Majesty's Exchequer, in the Year One thousand seven hundred and twenty-four.
c. 8.	An Act to discharge the Trustees appointed by an Act of the Seventh Year of His late Majesty's Reign, for raising Money upon the Estates of the late Directors of the South Sea Company and others of their Trust, and to vest in the said Company such of the Estates which were vested in the said Trustees, as remain undisposed of, as also the Produce of such Estates and Effects as have been disposed of by the Trustees.
c. 9.	An Act to repeal a Clause in an Act made in the Ninth Year of His late Majesty's Reign, which prohibits the Importation of Tobacco stript from the Stalk or Stem.
c. 15.	An Act to explain and amend an Act made in the Twelfth Year of His late Majesty's Reign, intituled An Act to prevent Abuses in the making of Bricks and Tiles, and to ascertain the Dimensions thereof, and to prevent all unlawful Combinations amongst any Brickmakers, or Tilemakers, within Fifteen Miles of the City of London, in order to advance or enhance the Price of Bricks or Tiles.

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c. 18.	An Act to ascertain the Custom payable for Corn and Grain imported; for better ascertaining the Price and Quantity of Corn and Grain, for which a Bounty is payable upon Exportation; for appropriating the Supplies granted in this Session of Parliament; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 20.	An Act for the Relief of Insolvent Debtors.
c. 22. in part.	An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons - - - - - - - - - - : — Except Section Thirteen.
c. 25. in part.	An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury; and to make it Felony to steal Bonds, Notes, or other Securities, for Payment of Money - - in part; namely,— The last Section.
c. 27.	An Act to enable Her Majesty to be Regent of this Kingdom, during His Majesty's Absence, without taking the Oaths.
c. 28. in part.	*An Act the title of which begins with the words,*—An Act to revive the Laws therein mentioned,—*and ends with the words,*—and for better Regulation of Licences for Common Inns and Alehouses - - : — Except Section Nine.
c. 29.	An Act to empower His Majesty to visit the Collegiate Church of Manchester during such Time as the Wardenship of the said Church is or shall be held in Commendam with the Bishopric of Chester.
c. 31.	*An Act the title of which begins with the words,*—An Act for indemnifying Persons who have omitted to qualify themselves,—*and ends with the words,* —the sworn Servants of the King's or Queen's Majesty.
c. 32.	An Act to empower His Majesty, His Heirs and Successors, during the Life of Thomas Bambridge, Esquire, to grant the Office of Warden of the Prison of the Fleet to such Person or Persons as His Majesty shall think fit; and to incapacitate the said Thomas Bambridge to enjoy the said Office, or any other whatsoever.
c. 34.	An Act for establishing an Agreement with Seven of the Lords Proprietors of Carolina for the Surrender of their Title and Interest in that Province to His Majesty.
c. 35.	An Act for better Preservation of His Majesty's Woods in America, and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Masts, Yards, and Bowsprits from that Part of Great Britain called Scotland. Repealed as to all Her Majesty's Dominions.
3 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 5.	An Act to enable His Majesty to prohibit any Person or Persons, His Majesty's Subjects or residing within this Kingdom, to advance or lend any Sum or Sums of Money to any Foreign Prince, State, or Potentate, without Licence obtained from His Majesty under His Privy Seal, or some greater Authority.
c. 7.	*An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt,—*and ends with the words,*—and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 12.	An Act for importing Salt from Europe into the Colony of New York in America.

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c. 14. in part.	An Act for reducing the Annuity or Fund of the United East India Company; and for ascertaining their Right of Trade to the East Indies, and the Continuance of their Corporation for that Purpose, upon the Terms therein mentioned - - - - - - - - :— Except Section Fourteen.
c. 20.	An Act for taking off certain Duties on Salt, and for making good any Deficiencies in the Funds, that may happen thereby; and for charging the Reduced Annuity, payable to the East India Company, on the Aggregate Fund; and for Relief of Matthew Lyon Executor of Matthew Page, deceased, in respect of the Duty for Salt lost by the overflowing of the River Mersey, in the Year One thousand seven hundred twenty-four.
c. 22.	An Act for amending the Acts therein mentioned relating to the making of Bricks.
c. 26.	An Act for the better Regulation of the Coal Trade.
c. 27.	An Act for explaining and amending an Act made in the last Session of Parliament, intituled An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons.
c. 28.	An Act for granting Liberty to carry Rice from His Majesty's Province of Carolina in America directly to any Part of Europe, Southward of Cape Finisterre, in Ships built in and belonging to Great Britain, and navigated according to Law.
c. 29.	*An Act the title of which begins with the words,*—An Act for continuing and amending an Act for regulating the Price and Assize of Bread,—*and ends with the words,*—removing certificated Persons.
c. 32. in part.	An Act for enabling the Judges of the Court of Session in Scotland to make an Adjournment of the said Court; and for limiting the Time for the Execution of Sentences importing corporal Punishments in that Part of the Kingdom - - - - - - - - in part; namely,— Section One.
c. 36.	An Act for confirming a Patent granted by Her late Majesty Queen Anne to William Trench, Esquire, deceased, for erecting a Lighthouse upon the Island or Rock called Skerries, and for the better Maintenance of the said Lighthouse, and for making the Duties granted for maintaining the same perpetual.
1 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-one.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-one.
c. 6.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who through Ignorance of Law have omitted to qualify themselves for Employments or Offices,—*and ends with the words,*—upon the Terms therein mentioned.
c. 12.	An Act to continue the Duties for Encouragement of the Coinage of Money.
c. 14. in part.	An Act to prevent Frauds in the Revenue of Excise, with respect to Starch, Coffee, Tea, and Chocolate - - - - - - :— Except Sections Ten and Eleven.
c. 15.	An Act for importing from His Majesty's Plantations in America, directly into Ireland, Goods not enumerated in any Act of Parliament.
c. 18.	An Act to prevent counterfeiting the Passes commonly called Mediterranean Passes.

c. 21. in part.	An Act to explain a Clause in an Act made in the Seventh Year of the Reign of Her late Majesty Queen Anne (for naturalizing foreign Protestants) which relates to the Children of the natural-born Subjects of the Crown of England, or of Great Britain - - - - - The last Section.	in part; namely,—
c. 26. in part.	An Act that all Proceedings in Courts of Justice, within that Part of Great Britain called England, and in the Court of Exchequer in Scotland, shall be in the English Language - - - - - - - - Section Two.	in part; namely,—
c. 27.	An Act for further encouraging the Manufacture of British Sail Cloth, by taking off the Duties and Drawbacks therein mentioned, and allowing an additional Bounty on British made Sail Cloth exported, and for stamping British made Sail Cloth with the Name and Place of Abode of the Maker.	
c. 28. in part.	An Act for the more effectual preventing Frauds committed by Tenants, and for the more easy Recovery of Rents and Renewal of Leases - - - - - - Sections Two to Four.	in part; namely,—
c. 29.	An Act for granting an Allowance upon the Exportation of British-made Gunpowder.	
c. 30.	An Act for rendering more effectual an Act made in the Third Year of His Majesty's Reign, intituled, An Act for the better Regulation of the Coal Trade, so far as the same relates to the preventing the enhancing the Price of Coals in the River Thames by the keeping of Turn in delivering of Coals there.	
5 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-two.	
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.	
c. 5.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain for the Service of the Year One thousand seven hundred and thirty-two.	
c. 6.	An Act for reviving the Duties on Salt for the Term therein mentioned.	
c. 9.	An Act to explain an Act made in the last Session of Parliament, intituled An Act for importing from His Majesty's Plantations in America, directly into Ireland, Goods not enumerated in any Act of Parliament, so far as the said Act relates to the Importation of Foreign Hops into Ireland.	
c. 18. in part.	An Act for the further Qualification of Justices of the Peace - - - - - - - - Sections One, Six and Seven.	in part; namely,—
c. 20.	An Act for the better Regulation and Government of Pilots licensed by the Corporation of Trinity House of Deptford Strond, in the County of Kent, and to prevent Mischiefs and Annoyances upon the River of Thames below London Bridge.	
c. 21.	An additional Act for the Encouragement of the Woollen Manufactures of this Kingdom by the more effectual preventing the unlawful Exportation of the Woollen Manufactures of the Kingdom of Ireland to Foreign Parts.	
c. 22.	An Act to prevent the Exportation of Hats out of any of His Majesty's Colonies, or Plantations in America, and to restrain the Number of Apprentices taken by the Hatmakers in the said Colonies or Plantations, and for the better encouraging the making Hats in Great Britain. Repealed as to all Her Majesty's Dominions.	
c. 24.	An Act for encouraging the Growth of Coffee in His Majesty's Plantations in America.	

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c. 27. in part.	An Act to explain, amend, and render more effectual an Act made in the Twelfth Year of the Reign of His late Majesty King George the First intituled An Act to prevent frivolous and vexatious Arrests - - - in part; namely,— The last Section.
c. 28.	An Act for encouraging the Greenland Fishery.
c. 29.	An Act for reviving an Act made in the Fifth Year of the Reign of His late Majesty King George the First, intituled An Act for the better securing the lawful Trade of His Majesty's Subjects to and from the East Indies, and for the more effectual preventing all His Majesty's Subjects trading thither under Foreign Commissions.
c. 33.	An Act to explain, amend, and render more effectual an Act passed in the First Year of His present Majesty's Reign, intituled An Act for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways or Locks or other Works erected by Authority of Parliament for making Rivers navigable.
6 Geo. 2. c. 1.	*An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt,—*and ends with the words,*—and for giving farther Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act to indemnify Persons who have omitted to qualify themselves for Employments or Offices by taking the Oaths, and making and subscribing the Declaration against Transubstantiation, and receiving the Sacrament, and allowing them further time for that Purpose.
c. 5.	An Act for allowing further Time for the Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers and Lessees.
c. 10.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-three.
c. 13.	An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America. Repealed as to all Her Majesty's Dominions.
c. 14. in part.	*An Act the title of which begins with the words,*—An Act for the more effectual preventing frivolous and vexatious Arrests,—*and ends with the words,*—and for explaining and amending the said Act - - - - in part; namely,— Sections One, Two, and Section Five from "and that the several Officers" to "Direction of the said recited Act."
c. 17.	An Act for repealing an Act for laying a Duty on compound Waters or Spirits, and for licensing the Retailers thereof; and for determining certain Duties on French Brandy, and for granting other Duties in lieu thereof; and for enforcing the Laws for preventing the running of Brandies.
c. 23.	An Act to explain and amend an Act made in the Seventh and Eighth Years of the Reign of King William the Third, intituled An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members, so far as the same relates to the holding of County Courts.
c. 25.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to apply Five hundred thousand Pounds out of the Sinking Fund, —*and ends with the words,*—the Dormitory belonging thereunto.
c. 26.	An Act to prevent the coining or counterfeiting any of the Gold Coins, commonly called Broad Pieces.
c. 31.	An Act for the Relief of Parishes, and other Places, from such Charges as may arise from Bastard Children born within the same.

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c. 33.	An Act for the further Encouragement of the Whale Fishery carried on by His Majesty's British Subjects.
c. 34.	*An Act the title of which begins with the words,*—An Act for reviving so much of the Act made in the First Year of His Majesty's Reign,—*and ends with the words,*—and to enable His Majesty to prohibit Commerce with any Country or Place infected with the Plague, for a certain Time therein limited.
c. 35. in part.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners,—*and ends with the words,*—Stock or Fund of the said Corporation - - } in part ; namely,— Sections One to Twenty-eight and Thirty-one.
c. 38.	An Act for enlarging the Time for Exportation of Tea.
7 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-four; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders, lost, burnt, or otherwise destroyed.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 3.	An Act for exhibiting a Bill in this present Parliament, for naturalizing His Highness the Prince of Orange.
c. 6.	An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Seven Years ; and for licensing the erecting new Refineries of Rock Salt, in the Counties of Essex and Suffolk.
c. 7.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred thirty and four.
c. 10.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who have omitted to qualify themselves for Employments or Offices,—*and ends with the words,*—notwithstanding the Act for the further Qualification of Justices of the Peace.
c. 11.	An Act for the Application and Disposal of the Residue of the Money raised, by way of Lottery, on the Credit of an Act made in the last Session of Parliament for the Relief of such Sufferers in the Charitable Corporation as are Objects of Compassion according to the Descriptions therein mentioned.
c. 12.	An Act for enabling His Majesty to apply the Sum of One million two hundred thousand Pounds out of the Sinking Fund for the Service of the Year One thousand seven hundred and thirty-four ; and for appropriating the Supplies granted in this Session of Parliament.
c. 13.	An Act to enable His Majesty to continue and settle an Annuity of Five thousand Pounds on the Princess Royal during the Term of her natural Life, in case she shall survive His Majesty.
c. 14.	An Act for ascertaining the Duties upon Arrack ; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
c. 16. in part.	An Act for the better regulating the Election of Members to serve in the House of Commons for that Part of Great Britain called Scotland; and for incapacitating the Judges of the Court of Session, Court of Justiciary, and Barons of the Court of Exchequer in Scotland to be elected or to sit or vote as Members of the House of Commons - - - } :— Except Sections Four and Six to Eight.
c. 17.	An Act to explain an Act passed in the last Session of Parliament, intituled An Act for the converting a further Part of the Capital Stock of the South Sea Company into Annuities redeemable by Parliament, and for settling the remaining Part of the said Stock in the said Company, so far as the said Act relates to the paying off the Bonds of the said Company.

c. 23.	An Act for raising the Militia of that part of Great Britain called England, although the Month's Pay formerly advanced be not repaid; and for making the Militia within the same more useful.
8 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-five.
c. 2.	An Act to punish Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act to indemnify Persons who have omitted to make and subscribe the Declarations contained in the Act of Uniformity of the Thirteenth and Fourteenth Years of King Charles the Second within the Time limited by Law; and for allowing further Time for doing thereof.
c. 11.	An Act for enabling His Majesty to apply the Sum of One million out of the Sinking Fund for the Service of the Year One thousand seven hundred and thirty-five.
c. 12.	An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Four Years; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
c. 13. in part.	An Act for the Encouragement of the Arts of designing, engraving, and etching Historical and other Prints, by vesting the Properties thereof in the Inventors and Engravers, during the Time therein mentioned - - } in part; namely,— Section Five.
c. 14.	An Act for prolonging the Time for claiming the fortunate Tickets in the Charitable Corporation Lottery, and for making Provision for Tickets in the said Lottery lost, burnt, or otherwise destroyed.
c. 17.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.
c. 18.	An Act to continue some Laws therein mentioned relating to the Encouragement of the making of Sail Cloth in Great Britain, and for Encouragement of the Silk Manufactures of this Kingdom.
c. 19.	An Act to continue an Act passed in the Third Year of His present Majesty's Reign, intituled An Act for granting liberty to carry Rice from His Majesty's Province of Carolina in America, directly to any Part of Europe Southward of Cape Finisterre, in Ships built in and belonging to Great Britain, and navigated according to Law; and to extend that Liberty to His Majesty's Province of Georgia in America.
c. 21.	An Act to continue several Laws therein mentioned for the better Regulation and Government of Seamen in the Merchants Service; for the regulating of Pilots of Dover, Deal, and the Isle of Thanet; for preventing Frauds in the Customs, and to prevent the clandestine running of Goods; and for making Copper Ore of the British Plantations an enumerated Commodity.
c. 23.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-five.
c. 24. in part.	An Act to explain and amend an Act passed in the Second Year of the Reign of His present Majesty, intituled An Act for the Relief of Debtors with respect to the Imprisonment of their Persons - - } :— Except Sections Four and Five.
c. 25.	An Act to indemnify Protestant Purchasers of Estates of Papists against the Penalties or Forfeitures Papists are liable to for not having enrolled their Estates, in pursuance of an Act of the Third Year of King George the First for that Purpose.

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9 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-six.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 3.	An Act for granting an Aid to His Majesty, by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-six.
c. 4.	*An Act the title of which begins with the words,*—An Act to amend an Act passed in the Seventh Year of the Reign of His late Majesty King George the First,—*and ends with the words,*—Cotton Wool manufactured in Great Britain.
c. 5. in part.	*An Act the title of which begins with the words,*—An Act to repeal the Statute made in the First Year of the Reign of King James the First, intituled An Act,—*and ends with the words,*—Witchcraft, Sorcery, Enchantment, or Conjuration - - - - - - - - - - in part; namely,— Sections One and Two.
c. 6.	An Act to indemnify Persons who have omitted to read the Prayers and make and subscribe the Declarations directed to be read, made, and subscribed by the Act of Uniformity of the Thirteenth and Fourteenth Years of the Reign of King Charles the Second within the Time limited by Law; and for allowing further Time for doing thereof.
c. 18.	An Act for reviving and continuing the Acts therein mentioned; and for explaining and amending a Clause in an Act made in the First Year of the Reign of His late Majesty King George the First, intituled An Act for making the Laws for repairing the Highways more effectual, relating to the appointing Scavengers in Cities and Market Towns, and the ordering the Assessments for the repairing and cleansing the Streets therein.
c. 23.	An Act for laying a Duty upon the Retailers of Spirituous Liquors; and for licensing the Retailers thereof.
c. 24.	An Act for exhibiting a Bill in this present Parliament for naturalizing Her Royal Highness the Princess of Wales.
c. 26. in part.	*An Act the title of which begins with the words,*—An Act for indemnifying Persons who have omitted to qualify themselves for Offices,—*and ends with the words,*—and for Relief of Protestant Purchasers, Devisees, and Lessees - - - - - - - - in part; namely,— Sections One, Two and Seven to Nine.
c. 32.	An Act for continuing for the Purposes therein mentioned, the Additional Duties upon stamped Vellum, Parchment, and Paper, laid by an Act passed in the Twelfth Year of the Reign of His late Majesty King George the First.
c. 33. in part.	An Act to render the Law more effectual for preventing the Importation of fresh Fish taken by Foreigners, and to explain so much of an Act made in the Thirteenth and Fourteenth Year of the Reign of King Charles the Second, as relates to Ships exporting Fish to the Ports of the Mediterranean Sea; and for the better Preservation of the Fry of Lobsters on the Coasts of Scotland - - - - :— Except the last Section.
c. 37.	An Act for further encouraging and regulating the Manufacture of British Sail Cloth; and for the more effectual securing the Duties now payable on Foreign Sail Cloth imported into this Kingdom.
10 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-seven.

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c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-seven.
c. 13.	An Act for indemnifying Persons who have omitted to qualify themselves for Offices, or to take the Oaths required within the Time limited by Law, and for allowing further Time for those Purposes.
c. 17. in part.	*An Act the title of which begins with the words,*—An Act for repealing the present Duty on Sweets,—*and ends with the words,*—and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders, lost, burnt, or otherwise destroyed - - - - :— Except Sections Thirty-five and Thirty-seven to Thirty-nine.
c. 26.	An Act for Relief of Insolvent Debtors.
c. 27.	*An Act the title of which begins with the words,*—An Act for laying a Duty upon Apples imported from Foreign Parts,—*and ends with the words,*—and for giving further Time for the Payment of Duties omitted to be paid for the Indentures, and Contracts of Clerks and Apprentices.
c. 29.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to settle a Revenue for supporting the Dignity of Her Royal Highness the Princess,—*and ends with the words,*—Parcel of the Duchy of Cornwall, or annexed to the same.
c. 30.	An Act for repealing the Duties payable ad Valorem upon Foreign Oysters imported into this Kingdom, and for laying another Duty thereon.
c. 35.	An Act for the more effectual bringing to Justice any Persons concerned in the barbarous Murder of Captain John Porteus, and punishing such as shall knowingly conceal any of the said Offenders.
11 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-eight.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 9.	*An Act the title of which begins with the words,*—An Act for the Relief of such Prisoners for Debt as have by unavoidable Accidents lost the benefit of an Act passed in the last Session of Parliament,—*and ends with the words,*—have chose to continue there.
c. 11.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees.
c. 14.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-eight.
c. 18.	An Act to continue Two several Acts therein mentioned; One for encouraging the Growth of Coffee in His Majesty's Plantations in America, and the Other for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America.
c. 19. in part.	An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants - - - in part; namely,— Sections Twelve and Thirteen, and the following words in Section Twenty-three,—"provided the Assignment so indorsed be duly stamped before any Action brought thereupon."
c. 22. in part.	An Act for punishing such Persons as shall do Injuries and Violences to the Persons or Properties of His Majesty's Subjects with Intent to hinder the Exportation of Corn - in part; namely,— Section Two from "and if any" to end of that Section.

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c. 24. in part.	An Act to amend an Act passed in the Twelfth and Thirteenth Year of the Reign of King William the Third, intituled An Act for preventing any Inconveniences that may happen by Privilege of Parliament : — Except Section Four.
c. 26.	An Act for enforcing the Execution of an Act made in the Ninth Year of His present Majesty's Reign, intituled An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing the Retailers thereof.
c. 31.	An Act to indemnify Persons who have omitted to qualify themselves for Offices, or to read the Prayers and make the Declarations and Subscriptions required within the respective Times limited by Law ; and for allowing further Time for those Purposes.
12 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England ; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and thirty-nine.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and thirty-nine.
c. 5.	An Act to continue the Duties for Encouragement of the Coinage of Money.
c. 6.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpose.
c. 13.	An Act for continuing the Act made in the Eighth Year of the Reign of Her late Majesty Queen Anne, to regulate the Price and Assize of Bread ; and for continuing, explaining, and amending the Act made in the Second Year of the Reign of His present Majesty, for the better Regulation of Attornies and Solicitors.
c. 14.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees.
c. 15.	An Act to enable His Majesty to settle an Annuity of Fifteen thousand Pounds on His Royal Highness the Duke of Cumberland, and the Heirs of his Body, and also One other Annuity of Twenty-four thousand Pounds on their Royal Highnesses the Princess Amalie, the Princess Caroline, the Princess Mary, and the Princess Lovisa.
c. 19.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of Five hundred thousand Pounds out of the Sinking Fund, —*and ends with the words,*—and for giving Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
c. 21.	An Act for taking off the Duties upon Woollen and Bay Yarn imported from Ireland to England, and for the more effectual preventing the Exportation of Wool from Great Britain, and of Wool, and Wool manufactured, from Ireland to Foreign Parts.
c. 22.	*An Act the title of which begins with the words,*—An Act to rectify a Mistake in an Act made in the Sixth Year of the Reign of His late Majesty King George,—*and ends with the words,*—fraudulent Importation of East India Goods into that Kingdom.
c. 25.	*An Act the title of which begins with the words,*—An Act to obviate some Doubts,—*and ends with the words,*—and for repealing two Clauses in the said last-mentioned Act.
c. 26. in part.	An Act for the better preventing Frauds and Abuses in Gold and Silver Wares - - - - - in part; namely,— Sections Seven to Ten.
c. 29. in part.	An Act for the more easy assessing, collecting, and levying of County Rates - - - - - in part; namely,— Section Twenty-two.

c. 36.	An Act for prohibiting the Importation of Books reprinted Abroad, and first composed or written, and printed in Great Britain; and for repealing so much of an Act made in the Eighth Year of the Reign of Her late Majesty Queen Anne as empowers the limiting the Prices of Books.
13 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty.
c. 3.	An Act for the better Supply of Mariners and Seamen to serve in His Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships, and Privateers.
c. 6.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpose.
c. 10.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 13.	An Act for providing a Marriage Portion for the Princess Mary.
c. 18. in part.	*An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned;—*and ends with the words,*—and for extending the Powers and Authorities of Justices of the Peace of Counties, touching County Rates, to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves - - - - - } in part; namely,— Sections One to Four.
c. 23.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund,—*and ends with the words,*—and for the further appropriating the Supplies granted in this Session of Parliament.
c. 28.	*An Act the title of which begins with the words,*—An Act for continuing the several Laws therein mentioned,—*and ends with the words,*—and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
14 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-one.
c. 2.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-one.
c. 3.	An Act to prohibit, for a Time therein limited, the Exportation of Corn, Grain (Rice excepted), Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, and Bacon.
c. 7.	An Act for licensing the Importation of Victual from Ireland, and other Parts beyond the Seas into Scotland, in Time of Dearth and Scarcity.
c. 9.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 18.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpose.
c. 20.	An Act to amend the Law concerning Common Recoveries, and to explain and amend an Act made in the Twenty-ninth Year of the Reign of King Charles the Second, intituled An Act for Prevention of Frauds and Perjuries, so far as the same relates to Estates pur auter Vie.

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c. 21.	An Act to indemnify Protestant Purchasers of Estates of Papists, against the Penalties or Forfeitures Papists are liable to, for not having enrolled their Estates, in pursuance of an Act of the Third Year of the Reign of His late Majesty King George the First, for that Purpose.
c. 22.	An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Seven Years; and for allowing Rock Salt to be used in making of Salt from Sea Water, at the Salt Works at Neath in the County of Glamorgan.
c. 33. in part.	An Act to supply some Defects in the Laws for repairing and rebuilding County Bridges, for repairing, enlarging, erecting, and providing Houses of Correction, and for passing Rogues and Vagabonds - - :— Except Section One.
c. 34.	An Act to continue an Act for Relief of Debtors, with respect to the Imprisonment of their Persons, and two subsequent Acts for explaining and amending the same; and also to continue an Act for the free Importation of Cochineal and Indico.
c. 37.	An Act for restraining and preventing several unwarrantable Schemes and Undertakings in His Majesty's Colonies and Plantations in America. Repealed as to all Her Majesty's Dominions.
c. 39.	An Act for surveying the Chief Ports and Head Lands on the Coasts of Great Britain and Ireland, and the Islands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof.
c. 41.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund,—*and ends with the words,*—and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
15 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-two.
c. 3.	An Act for granting to His Majesty a certain Sum out of the Sinking Fund, towards the Supply for the Year One thousand seven hundred and forty-two.
c. 4.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 11.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-two.
c. 20. in part.	An Act to prevent the counterfeiting of Gold and Silver Lace, and for settling and adjusting the Proportions of fine Silver and Silk; and for the better making of Gold and Silver Thread - - - - - in part; namely,— Sections One, Twelve and Thirteen.
c. 21.	An Act to indemnify Persons who have omitted to qualify themselves for Offices, Employments, and Promotions within the Time limited by Law; and for allowing further Time for that Purpose.
c. 25.	*An Act the title of which begins with the words,*—An Act to empower the Importers or Proprietors of Rum,—*and ends with the words,*—Overflowing of the Rivers Weaver and Dane.
c. 29.	An Act for granting to His Majesty an additional Duty on Foreign Cambrics, imported into Great Britain; and for allowing thereout a Bounty upon certain Species of British and Irish Linens exported.
c. 31.	*An Act the title of which begins with the words,*—An Act for further regulating the Plantation Trade,—*and ends with the words,*—and for allowing East India Goods to be taken out of Warehouses, in order to be cleaned and refreshed.

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c. 33. in part.	*An Act the title of which begins with the words,*—An Act to revive several Acts for the Punishment of Persons destroying Turnpikes or Locks,—*and ends with the words,*—and for the more effectual preventing the cutting of Star or Bent - - - - - - - Sections One to Five. } in part; namely,—
c. 35.	*An Act the title of which begins with the words,*—An Act to continue several Laws,—*and ends with the words,*—and to give further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
16 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-three.
c. 2.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-three.
c. 8. in part.	An Act for repealing certain Duties on Spirituous Liquors; and on Licences for retailing the same; and for laying other Duties on Spirituous Liquors, and on Licences to retail the said Liquors - - Except Section Twelve to "Persons only." } :—
c. 11.	An Act to explain and amend the Laws touching the Elections of Members to serve for the Commons in Parliament, for that Part of Great Britain called Scotland; and to restrain the Partiality and regulate the Conduct of Returning Officers at such Elections.
c. 14.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 17.	An Act for the Relief of Insolvent Debtors.
c. 18. in part.	An Act to empower Justices of the Peace to act in certain Cases relating to Parishes and Places, to the Rates and Taxes of which they are rated or chargeable - - Section Two. } in part; namely,—
c. 24.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of the Commissioners for the Land Tax,—*and ends with the words,*—for the Service of the Year One thousand seven hundred and forty-three.
c. 25.	An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund, and for applying a further Sum therein mentioned, for the Service of the Year One thousand seven hundred and forty-three; and for the further appropriating the Supplies granted in this Session of Parliament.
c. 26.	*An Act the title of which begins with the words,*—An Act for continuing several Laws relating to the Allowance upon the Exportation of British made Gunpowder,—*and ends with the words,*—Salt lost in a Storm at Sea.
c. 27.	An Act to continue an Act made in the Fifth Year of the Reign of His present Majesty, intituled An Act to prevent the committing of Frauds by Bankrupts.
c. 30.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who have omitted to qualify themselves,—*and ends with the words,*—the Time for receiving the Sacrament of the Lord's Supper now limited by the said Act.
c. 31. in part.	An Act for the further Punishment of Persons who shall aid or assist Prisoners to attempt to escape out of lawful Custody - - - - - - - The last Section. } in part; namely,—
c. 32.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees.

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17 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-four.
c. 2.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-four.
c. 5. in part.	An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and disorderly Persons, and to Houses of Correction. :— Except Section Thirty-two.
c. 6.	An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.
c. 15.	An Act for the speedy and effectual recruiting of His Majesty's Land Forces and Marines, for the Year One thousand seven hundred and forty-four.
c. 16.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 17.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Surplus or Remainder,—*and ends with the words,*—trading to the East Indies.
c. 26.	An Act to rectify a Mistake in an Act made this Session of Parliament, intituled An Act for the speedy and effectual recruiting of His Majesty's Land Forces and Marines, for the Year One thousand seven hundred and forty-four.
c. 31.	*An Act the title of which begins with the words,*—An Act for repealing the Duties payable upon Glass Beads,—*and ends with the words,*—as to the Persons who are to receive the said Bounty.
c. 33.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund,—*and ends with the words,*—that such Annuitants are living.
c. 35.	An Act to explain, amend, and enlarge an Act made in the Sixteenth and Seventeenth Year of the Reign of King Charles the Second, intituled An Act for regulating the Measures and Prices of Coals.
c. 36.	*An Act the title of which begins with the words,*—An Act for permitting certain Goods therein enumerated to be imported during the War,—*and ends with the words,*—in English Ships duly navigated.
c. 39.	*An Act the title of which begins with the words,*—An Act to make it High Treason to hold Correspondence with the Sons of the Pretender,—*and ends with the words,*—until after the Decease of the Sons of the said Pretender.
c. 40. in part.	*An Act the title of which begins with the words,*—An Act to continue the several Laws therein mentioned for preventing Theft and Rapine on the Northern Borders of England,—*and ends with the words,*—and to prevent the retailing of Wine within either of the Universities in that Part of Great Britain called England without Licence - - - - - - - in part; namely,— Sections One to Nine.
18 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty, by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-five.
c. 2.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-five.

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c. 5.	*An Act the title of which begins with the words,*—An Act for granting and continuing the Duties upon Salt,—*and ends with the words,*—King George the First.
c. 7.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 10.	An Act for the speedy and effectual recruiting of His Majesty's Regiments of Foot serving in Flanders, Minorca, Gibraltar, and the Plantations, and the Regiments of Marines.
c. 11.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.
c. 15. in part.	An Act for making the Surgeons of London and the Barbers of London Two separate and distinct Corporations - - - - - - - } in part; namely,— Sections Five, Six, Thirteen and Fourteen.
c. 18. in part.	An Act to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for that Part of Great Britain called England - } in part; namely,— Sections One to Four, Section Five from "or without having been in the actual Possession" to "Office," Section Six from "or of the Oath" to end of that Section, and Sections Seven, Eight, Ten and Eleven.
c. 21.	An Act to continue an Act made in the Sixth Year of the Reign of His present Majesty for the better Regulation of Lastage and Ballastage in the River Thames.
c. 22. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of Eight hundred thousand Pounds,—*and ends with the words,*—and for the further enforcing the Payment of the said Duties - - - - - - - - - } :— Except the last four Sections.
c. 25.	An Act for allowing certain additional Bounties on the Exportation of British and Irish Linens.
c. 26.	*An Act the title of which begins with the words,*—An Act for repealing the present Inland Duty of Four Shillings,—*and ends with the words,*—and for pursuing Offenders out of one County into another.
c. 27.	An Act for more effectually preventing the stealing of Linen, Fustian, and Cotton Goods and Wares, in Buildings, Fields, Grounds, and other places used for printing, whitening, bleaching, or drying the same.
c. 28.	An Act to indemnify Persons who have been guilty of the unlawful importing, landing, or running of prohibited, uncustomed, or other Goods or Merchandise.
c. 36.	An Act for prohibiting the Wearing and Importation of Cambrics and French Lawns.
19 Geo. 2. c. 1.	An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against his Person and Government.
c. 2.	An Act to raise the Militia of that Part of Great Britain called England, although the Month's Pay formerly advanced hath not yet been repaid; and to raise such Part of the said Militia as shall be judged most proper, ready, and convenient.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-six.
c. 4.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-six.

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c. 5.	An Act to enable His Majesty to make Rules, Orders, and Regulations, more effectually to prevent the spreading of the Distemper which now rages amongst the horned Cattle in this Kingdom.
c. 7.	An Act for adjourning the Court of Session in Scotland; and for remedying the Inconveniences arising from the Surcease of Justice in that Part of the Kingdom.
c. 8.	*An Act the title of which begins with the words,*—An Act for repealing so much of an Act,—*and ends with the words,*—as relates to the making or passing of Acts, Orders or Ordinances in Common Council.
c. 9. in part.	An Act for the more easy and speedy Trial of such Persons as have levied or shall levy War against His Majesty; and for the better ascertaining the Qualifications of Jurors in Trials for High Treason or Misprision of Treason, in that Part of Great Britain called Scotland - - - - - - - - - } in part; namely,— Sections One to Three.
c. 11.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 13.	An Act to enlarge the Time for Justices of the Peace to take and subscribe the Oath directed by an Act made in the last Session of Parliament, intituled An Act to amend and render more effectual an Act passed in the Fifth Year of His present Majesty's Reign, intituled An Act for the further Qualification of Justices of the Peace.
c. 14.	An Act to continue the Duties for Encouragement of the Coinage of Money.
c. 16.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees.
c. 17.	An Act for continuing an Act of this present Session of Parliament, intituled An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.
c. 20.	An Act to indemnify such Persons as have acted in defence of His Majesty's Person and Government, and for the Preservation of the public Peace of this Kingdom, during the Time of the present unnatural Rebellion, and Sheriffs and others who have suffered Escapes, occasioned thereby, from vexatious Suits and Prosecutions.
c. 21. in part.	An Act more effectually to prevent profane cursing and swearing - - - - - - - - - } in part; namely,— The last Section.
c. 23.	An Act to continue Two Acts of Parliament; One for encouraging the Growth of Coffee in His Majesty's Plantations in America, and the Other for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America.
c. 25.	An Act for calling any suspected Person or Persons, whose Estates or principal Residence are in Scotland, to appear at Edinburgh, or where it shall be judged expedient, to find Bail for their good Behaviour.
c. 27.	*An Act the title of which begins with the words,*—An Act for the more effectual securing the Duties now payable on Foreign-made Sail Cloth,—*and ends with the words,*—British Sail Cloth.
c. 28. in part.	An Act for the better regulating of Elections of Members to serve in Parliament, for such Cities and Towns in that Part of Great Britain called England as are Counties of themselves - - - - - - - - } in part; namely,— Sections One to Three, Section Four from "and shall have been in the actual Possession" to "Office," and Section Five from "or of the Oath" to end of that Section.
c. 29.	An Act for settling an additional Revenue of Twenty-five thousand Pounds upon His Royal Highness William Duke of Cumberland, and the Heirs Males of his Body, for the signal Services done by His Royal Highness to his Country.

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c. 31.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—lost, burnt, or otherwise destroyed.
c. 33.	An Act to indemnify Persons who have omitted to qualify themselves for Offices, Employments, and Promotions within the Time limited by Law, and for allowing further Time for that Purpose.
c. 34.	*An Act the title of which begins with the words,*—An Act for the further Punishment of Persons going armed or disguised,—*and ends with the words,*—Informations upon Seizures.
c. 36.	An Act to allow the Purchase for His Majesty's Use of Naval Stores brought into this Kingdom on board neutral Ships, by any of His Majesty's Ships, and to allow such Stores to be landed and entered during the Continuance of the present Wars with France and Spain, or either of them.
c. 37. in part.	An Act to regulate Insurance on Ships belonging to the Subjects of Great Britain, and on Merchandises or Effects laden thereon - - - - - - - - in part ; namely,— Sections Four, Five and Eight. Repealed as to all Her Majesty's Dominions.
c. 38.	An Act more effectually to prohibit and prevent Pastors or Ministers from officiating in Episcopal Meeting Houses in Scotland, without duly qualifying themselves according to Law ; and to punish Persons for resorting to any Meeting-Houses where such unqualified Pastors or Ministers shall officiate.
c. 39. in part.	*An Act the title of which begins with the words,*—An Act for the more effectual disarming the Highlands in Scotland,—*and ends with the words,*—to take the Oaths to His Majesty, His Heirs and Successors, and to register the same - - - - - - - - - - in part ; namely,— Sections One to Twenty.
20 Geo. 2. c. 1.	An Act for the further continuing an Act made in the last Session of Parliament, intituled An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-seven.
c. 4.	An Act to continue, explain, and amend an Act made in the last Session of Parliament, intituled An Act to enable His Majesty to make Rules, Orders, and Regulations more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.
c. 5.	*An Act the title of which begins with the words,*—An Act for continuing the Duties upon Malt,—*and ends with the words,*— One thousand seven hundred and forty-seven.
c. 11.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 20.	An Act for Relief of such of His Majesty's Loyal Subjects, in that Part of Great Britain called Scotland, whose Title Deeds and Writings were destroyed or carried off by the Rebels, in the late Rebellion.
c. 36.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—and for continuing the Bounties on the Exportation of British and Irish coarse Linens.
c. 39.	An Act for granting a Duty to His Majesty, to be paid by Distillers, upon Licences taken out by them, for retailing Spirituous Liquors.

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c. 43. in part.	*An Act the title of which begins with the words,*—An Act for taking away and abolishing the Heritable Jurisdictions in that Part of Great Britain called Scotland,—*and ends with the words,*—and for rendering the Union of the Two Kingdoms more complete - - - - } in part; namely,— Sections Six to Thirteen, Twenty-one, the following words in Section Twenty-two,—"and of Coal Works, Salt Works, and Mines, or any of them," Section Thirty-one from "and the Judges" to end of that Section, and Section Thirty-five.
c. 45. in part.	*An Act the title of which begins with the words,*—An Act to continue several Laws relating to the Manufactures of Sailcloth and Silk,—*and ends with the words,*—Home Consumption - - - - } :— Except Sections Four to Eight.
c. 46.	An Act to prevent the Return of such Rebels and Traitors concerned in the late Rebellion, as have been or shall be pardoned on Condition of Transportation; and also to hinder their going into the Enemies' Country.
c. 47.	*An Act the title of which begins with the words,*—An Act to continue several Laws for prohibiting the Importation of Books,—*and ends with the words,*—Locks or other Works erected by Authority of Parliament.
c. 48.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law; and for allowing further Time for that Purpose.
c. 50. in part.	*An Act the title of which begins with the words,*—An Act for taking away the Tenure of Ward Holding in Scotland, —*and ends with the words,*—and making Settlements in the Highlands - - - - - - } in part; namely,— Section Five, Section Six to "Feu Duties," Sections Seven, Eight, Section Ten from "and it shall" to end of that Section, and Section Twenty.
c. 52.	An Act for the King's most Gracious, General, and Free Pardon.
21 Geo. 2. c. 1.	An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called Scotland, for the Service of the Year One thousand seven hundred and forty-eight.
c. 3.	An Act to revive and make perpetual Two Acts of Parliament; One made in the Twelfth Year of the Reign of His late Majesty King George the First, intituled An Act to prevent frivolous and vexatious Arrests, and the Other made in the Fifth Year of His present Majesty's Reign, to explain, amend, and render more effectual the said Act.
c. 4.	An Act to prohibit Assurance on Ships belonging to France, and on Merchandises or Effects laden thereon, during the present War with France.
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 7.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-eight.
c. 9.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpose.
c. 12.	An Act for holding the Summer Assizes for the County of Buckingham at the County Town of Buckingham.
c. 13.	An Act to rectify a Mistake in an Act made in this Session of Parliament, intituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 14.	*An Act the title of which begins with the words,*—An Act for permitting Tea to be exported to Ireland,—*and ends with the words,*—an Act of this Session of Parliament.

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c. 17.	An Act to render more effectual an Act made in the Twentieth Year of His Majesty's Reign, intituled An Act for Relief of such of His Majesty's loyal Subjects in that Part of Great Britain called Scotland, whose Title Deeds and Writings were destroyed or carried off by the Rebels in the late Rebellion.
c. 19. in part.	*An Act the title of which begins with the words,*—An Act for the more effectual Trial and Punishment of High Treason, and Misprision of High Treason,—*and ends with the words,*—and for other Purposes therein mentioned - } in part; namely,— Sections One to Six.
c. 23.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund,—*and ends with the words,*—Three Regiments of Horse lately reduced.
c. 26.	An Act for explaining, amending, and enforcing an Act made in the Eighteenth Year of the Reign of His present Majesty, intituled An Act for prohibiting the wearing and Importation of Cambrics and French Lawns.
c. 30.	An Act for encouraging the making of Indico in the British Plantations in America.
c. 31.	An Act for the Relief of Insolvent Debtors.
c. 33.	*An Act the title of which begins with the words,*—An Act to continue and amend several Laws for the Relief of Debtors,—*and ends with the words,*—to prevent the spreading of the Distemper amongst the Horned Cattle.
c. 34. in part.	*An Act the title of which begins with the words,*—An Act to amend and enforce so much of an Act made in the Nineteenth Year of His Majesty's Reign,—*and ends with the words,*—and for other Purposes therein mentioned - } in part; namely,— Sections One to Ten, Thirteen, Seventeen to Nineteen and Twenty-one.
22 Geo. 2. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and forty-nine.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and forty-nine.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 27. in part.	*An Act the title of which begins with the words,*—An Act for the more effectual preventing of Frauds and Abuses,—*and ends with the words,*—and for the better Payment of their Wages - - - - - - - } in part; namely,— Section Three.
c. 30. in part.	An Act for encouraging the People known by the Name of Unitas Fratrum, or United Brethren, to settle in His Majesty's Colonies in America - - - } in part; namely,— Sections One to Three.
c. 41.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of several of the Commissioners,—*and ends with the words,*—One thousand seven hundred and forty-eight.
c. 42.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund,—*and ends with the words,*—or other Orders lost, burnt, or otherwise destroyed.
c. 44.	An Act to enable such Officers, Mariners, and Soldiers as have been in His Majesty's Service since His Accession to the Throne, to exercise Trades.
c. 45.	An Act for the further Encouragement and Enlargement of the Whale Fishery, and for continuing such Laws as are therein mentioned relating thereto; and for the Naturalization of such Foreign Protestants as shall serve, for the Time therein mentioned, on board such Ships as shall be fitted out for the said Fishery.

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c. 46. in part.	*An Act the title of which begins with the words,*—An Act to continue several Laws for preventing Exactions of the Occupiers of Locks and Wears upon the River Thames Westward,—*and ends with the words,*—and for allowing Quakers to make Affirmation in Cases where an Oath is or shall be required - - - - - -: Except Section Thirty-five.
c. 49.	An Act for making a free Market for the Sale of Fish in the City of Westminster; and for preventing the forestalling and monopolizing of Fish; and for allowing the Sale of Fish, under the Dimensions mentioned in a Clause contained in an Act of the First Year of His late Majesty's Reign, in case the same are taken with a Hook.
23 Geo. 2. c. 2.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty.
c. 3.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty.
c. 4.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 9.	An Act for repealing the Duties now payable upon China Raw Silk, and for granting other Duties in lieu thereof.
c. 11.	An Act to render Prosecutions for Perjury and Subornation of Perjury more easy and effectual.
c. 13.	*An Act the title of which begins with the words,*—An Act for the effectual punishing of Persons convicted of seducing Artificers,—*and ends with the words,*—relating to Persons employed in the several Manufactures therein mentioned.
c. 20.	An Act for encouraging the Growth and Culture of Raw Silk in His Majesty's Colonies or Plantations in America.
c. 21.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of Nine hundred thousand Pounds out of the Sinking Fund, —*and ends with the words,*—clandestine Importation of Soap, Candles, and Starch, into this Kingdom.
c. 23.	An Act to continue several Laws for preventing the spreading of the Distemper which now rages amongst the Horned Cattle, and for empowering His Majesty to prohibit the killing of Cow Calves.
c. 24.	An Act for the Encouragement of the British White Herring Fishery.
c. 25.	An Act for making good a Deficiency upon the Revenue of the Office of Keeper or Clerk of the Hanaper, and for preventing any future Deficiency therein, to answer the public Services provided for out of the same; and for augmenting the Income of the Office of Master or Keeper of the Rolls.
c. 26.	*An Act the title of which begins with the words,*—An Act to continue several Laws for the better regulating of Pilots,—*and ends with the words,*—for better Regulation of Attornies and Solicitors.
c. 29.	An Act to encourage the Importation of Pig and Bar Iron from His Majesty's Colonies in America, and to prevent the Erection of any Mill or other Engine for Slitting or Rolling of Iron, or any Plateing Forge to work with a Tilt Hammer, or any Furnace for making Steel in any of the said Colonies. Repealed as to all Her Majesty's Dominions.
c. 31.	An Act for extending and improving the Trade to Africa.
c. 32.	An Act for granting to His Majesty certain Duties upon such Species of Sail Cloth as are therein mentioned, which shall be imported from Ireland into Great Britain, during the Time therein limited.
24 Geo. 2. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-one.

c. 5.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 7.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-one.
c. 18.	An Act for the better Regulation of Trials by Jury; and for enlarging the Time for Trials by Nisi Prius in the County of Middlesex.
c. 24.	An Act to provide for the Administration of the Government in case the Crown should descend to any of the Children of His late Royal Highness Frederick Prince of Wales, being under the Age of Eighteen Years, and for the Care and Guardianship of their Persons.
c. 31. in part.	An Act for explaining, amending, and enforcing an Act passed in the Thirteenth Year of His late Majesty's Reign, intituled An Act for the better Regulation of the Linen and Hempen Manufactures in that Part of Great Britain called Scotland; and for further regulating and encouraging the said Manufactures - - - - -: — Except Sections Twenty-three and Thirty.
c. 40. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty an additional Duty upon Spirituous Liquors, and upon Licences for retailing the same,—*and ends with the words,*—under the Inspection of the Head Office of Excise - - - - -: — Except Sections Twelve to Sixteen and Thirty-one.
c. 41.	An Act for the more effectual securing the Duties upon Tobacco.
c. 45.	An Act for the more effectual preventing of Robberies and Thefts upon any Navigable Rivers, Ports of Entry or Discharge, Wharfs, and Keys adjacent.
c. 46.	An Act for repealing the Duties now payable upon Foreign Linen Yarns, and for granting other Duties in lieu thereof.
c. 47.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of Six hundred thousand Pounds,—*and ends with the words,*—Assignments or Endorsements thereon.
c. 48. in part.	An Act for the Abbreviation of Michaelmas Term :— Except the last two Sections.
c. 49.	*An Act the title of which begins with the words,*—An Act for allowing further Time to the Commissioners appointed by and in pursuance of an Act,—*and ends with the words,*—for the Time therein mentioned.
c. 51.	An Act for encouraging the making of Pot Ashes and Pearl Ashes in the British Plantations in America.
c. 52.	An Act for continuing several Laws therein mentioned, relating to the Premiums upon the Importation of Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine, to British-made Sail Cloth, and the Duties payable on Foreign Sail Cloth, and to the Allowance upon the Exportation of British-made Gunpowder.
c. 53.	An Act to regulate and restrain Paper Bills of Credit in His Majesty's Colonies or Plantations of Rhode Island and Providence Plantations, Connecticut, the Massachusets Bay, and New Hampshire, in America; and to prevent the same being legal Tenders in Payments of Money.
c. 54.	An Act for explaining, continuing, and enforcing several Laws therein mentioned, more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.
c. 55.	An Act for amending and making more effectual a Clause in an Act passed in the last Session of Parliament, for the apprehending of Persons in any County or Place, upon Warrants granted by Justices of the Peace of any other County or Place.

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c. 56.	An Act for ascertaining the Admeasurement of Wheat Meal, or other Corn or Grain ground, for which a Bounty is payable upon Exportation; and for making Allowances to the East India Company, for their Charges and Expenses in managing, paying, and transferring their reduced Annuities.
c. 57.	*An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—Certificates for the Discharge of Bankrupts.
25 Geo. 2. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-two.
c. 2.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, within the Space of One Year from the Twenty-fifth Day of March One thousand seven hundred and fifty-two.
c. 14.	An Act to open the Port of Lancaster for the Importation of Wool and Woollen Yarn from Ireland.
c. 15.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, and also Persons who have omitted to make and file Affidavits of the Execution of Articles of Clerkship within the Time limited by Law, and for allowing further Time for those Purposes.
c. 19.	An Act to open the Port of Great Yarmouth for the Importation of Wool and Woollen Yarn from Ireland.
c. 29. in part.	An Act for giving a proper Reward to Coroners for the due Execution of their Office; and for the Amoval of Coroners upon a lawful Conviction for certain Misdemeanors - - - - - : — Except the last two Sections.
c. 30. in part.	An Act to amend an Act made in the last Session of Parliament, intituled An Act for regulating the Commencement of the Year, and for correcting the Calendar now in use - - - - - - in part; namely,— Section One.
c. 31.	An Act to continue, explain, and amend several Laws more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.
c. 32.	An Act to allow the Importation of Gum Senega into this Kingdom, from any Part of Europe, upon the Payment of a Duty; and for Relief of James Guthrie with respect to the Duties paid and secured upon a Quantity of Tobacco burnt at the Port of Kirkcudbright; and for giving further Time for Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices.
c. 35.	An Act for continuing the Act for encouraging the Growth of Coffee in His Majesty's Plantations in America; and also for continuing, under certain Regulations, so much of an Act as relates to the Premiums upon the Importation of Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine.
c. 36. in part.	An Act for the better preventing Thefts and Robberies; and for regulating Places of Public Entertainment, and punishing Persons keeping disorderly Houses - - in part; namely,— Sections One, Nine, Eleven, Twelve and Fifteen.
c. 37. in part.	An Act for better preventing the horrid Crime of Murder - in part; namely,— Sections Two, Five and Ten.
c. 40.	*An Act the title of which begins with the words,*—An Act for the Application of a Sum of Money therein mentioned, granted to His Majesty,—*and ends with the words,*—and for other Purposes in the Act mentioned. Repealed as to all Her Majesty's Dominions.

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26 Geo. 2. c. 1. in part.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-three; and for enlarging the Time limited by an Act of the last Session of Parliament, for subscribing Annuities, after the Rate of Three Pounds per Centum per Annum, into the joint Stock of Annuities therein mentioned - - - : — Except the last Section.
c. 3.	An Act for continuing the Duties upon Salt, and upon Red and White Herrings, for the Purposes therein mentioned.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-three.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 8.	An Act for opening the Port of Exeter for the Importation of Wool and Woollen Yarn from Ireland.
c. 9.	An Act to explain, amend, and render more effectual, an Act made in the Twenty-third Year of the Reign of His present Majesty, intituled An Act for the Encouragement of the British White Herring Fishery, and for regulating the said Fishery according to the Calendar now in Use, and for other Purposes therein mentioned.
c. 11.	An Act for permitting the Exportation of Wool and Woollen or Bay Yarn from any Port in Ireland to any Port in Great Britain.
c. 12.	An Act to prevent Wines imported into any of the Outports of this Kingdom being afterwards brought into the Port of London or Parts adjacent without paying the London Duty.
c. 13.	An Act for the more effectually preventing the fraudulent Removal of Tobacco by Land or Water, and for the Ease of the fair Trader in Tobacco; and for ascertaining the Rates payable for the Portage of certain Letters; and for amending and explaining the Laws relating to the Sale of Spirituous Liquors by Retail.
c. 15.	An Act for allowing Interest upon certain Debentures for the Bounty granted on the Exportation of Corn.
c. 16.	An Act for reducing the Number of Directors of the Corporation of the Governor and Company of Merchants of Great Britain trading to the South Seas, and other Parts of America, and for encouraging the Fishery, and for regulating the Election of the Governors and Directors of the said Company.
c. 20.	An Act for encouraging and improving the Manufactory of Linen in the Highlands of Scotland.
c. 22. in part.	An Act for the Purchase of the Museum or Collection of Sir Hans Sloane, and of the Harleian Collection of Manuscripts; and for providing One general Repository for the better Reception and more convenient Use of the said Collections, and of the Cottonian Library, and of the Additions thereto - - - - - in part; namely,— Sections Twenty-four to Forty-seven.
c. 23. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money therein mentioned out of the Sinking Fund,—*and ends with the words,*—and for other Purposes therein mentioned - - - - - - : — Except the last Section.
c. 24.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees.
c. 29.	*An Act the title of which begins with the words,*—An Act to explain, amend, and continue the Provisions made by Two Acts of Parliament,—*and ends with the words,*—Crown unalienable.

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c. 32.	*An Act the title of which begins with the words,*—An Act for continuing several Laws relating to the Punishment of Persons going armed or disguised,—*and ends with the words,*—not complied with.
c. 34. in part.	*An Act the title of which begins with the words,*—An Act to explain, amend, and continue several Laws more effectually to prevent the spreading of the Distemper, — *and ends with the words,* — public Officers of the City of Chester - - - - - - : — Except the last Section.
27 Geo. 2. c. 1.	An Act to repeal an Act of the Twenty-sixth Year of His Majesty's Reign, intituled An Act to permit Persons professing the Jewish Religion to be naturalized by Parliament, and for other Purposes therein mentioned.
c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-four.
c. 3. in part.	An Act for the better securing to Constables and others, the Expenses of conveying Offenders to Gaol, and for allowing the Charges of poor Persons bound to give Evidence against Felons - - - - - in part; namely,— Section Two.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-four.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 6. in part.	An Act to repeal a Proviso in an Act made in the Twentieth Year of His present Majesty's Reign, intituled An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices, which provides that the said Act shall not extend to the Stannaries in Devon and Cornwall - - - - in part; namely,— Section One.
c. 9.	An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies; and for the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena.
c. 10.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money therein mentioned, out of the Sinking Fund, —*and ends with the words,*—and for the further appropriating the Supplies granted in this Session of Parliament.
c. 11.	An Act to continue the Duties for Encouragement of the Coinage of Money; and for removing Doubts concerning the Continuance of the Duty of Twenty Shillings for every Tun of Brandy, Wines, and Strong Waters imported.
c. 13.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law, and for allowing further Time for that Purpose.
c. 14.	An Act to continue several Laws relating to the Distemper now raging among the Horned Cattle in this Kingdom.
c. 16. in part.	*An Act the title of which begins with the words,*—An Act for making perpetual several Laws for Punishment of Persons destroying Turnpikes, Locks, or other Works erected by Authority of Parliament,— *and ends with the words,*—and for preventing Persons driving certain Carriages from riding upon such Carriages - - - - : — Except Sections Two, Three and Four.
c. 17.	An Act for revesting in the Crown the Power of appointing the Marshal of the Marshalsea of the Court of King's Bench; and for the better Regulation of that Office, and of the Inferior Offices thereto belonging; and for rebuilding the King's Bench Prison.

c. 18.	*An Act the title of which begins with the words,*—An Act to continue several Laws for prohibiting the Importation of Books reprinted Abroad, and first composed or written, and printed in Great Britain,—*and ends with the words,*—and for the more effectual Payment of the Bounties upon British made Sail Cloth to Robert Donald and others.
28 Geo. 2. c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-five.
c. 3.	An Act to indemnify Members of Cities, Corporations, and Borough Towns, who have neglected to take the Oaths of Office, and to stamp their Admissions, and for allowing them further Time for those Purposes.
c. 4.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 5.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-five; and for the Relief of the Inhabitants of certain Places in the County of Lincoln, in respect of Arrears of the Land Tax.
c. 10.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
c. 11.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 13.	An Act for Relief of Insolvent Debtors.
c. 14.	An Act for further explaining, amending, and rendering more effectual, an Act made in the Twenty-third Year of the Reign of His present Majesty, intituled An Act for the Encouragement of the British White Herring Fishery; and for giving further Encouragement for the carrying on the said Fishery; and for other Purposes therein mentioned.
c. 16.	An Act for the better Supply of Mariners and Seamen to serve in His Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Vessels.
c. 17.	An Act to amend an Act made in the Twenty-sixth Year of the Reign of His present Majesty, intituled An Act for the Amendment and Preservation of the Public Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto.
c. 18.	An Act to continue several Laws relating to the Distemper now raging among the Horned Cattle in this Kingdom.
c. 19.	*An Act the title of which begins with the words,*—An Act for making perpetual an Act passed in the Twenty-fifth Year of the Reign of His present Majesty, —*and ends with the words,*—and for the filing of Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors.
c. 20.	An Act for continuing, explaining, and amending the several Acts of Parliament made for the further Encouragement of the Whale Fishery carried on by His Majesty's Subjects; and to authorize the Payment of the Bounty to Thomas Hood and others, upon Three Ships fitted out for the said Fishery, and lost in the Greenland Seas.
c. 22.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money,—*and ends with the words,*—and for the further appropriating the Supplies granted in this Session of Parliament.
c. 24.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law, and for allowing further Time for that Purpose.
c. 25.	An Act for continuing an Act, intituled An Act for encouraging the making of Indico in the British Plantations in America.
29 Geo. 2. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-six.

c. 2.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-six; and for the Relief of the Inhabitants of the City and County of the City of Lincoln, in respect of Arrears of the Land Tax.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act for the speedy and effectual recruiting of His Majesty's Land Forces and Marines.
c. 5.	An Act to enable His Majesty to grant Commissions to a certain Number of Foreign Protestants who have served Abroad as Officers or Engineers, to act and rank as Officers, or Engineers, in America only, under certain Restrictions and Qualifications.
c. 6.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 11.	An Act for the better Supply of Mariners and Seamen to serve in His Majesty's Ships of War, and on board Merchant Ships, and other Trading Ships and Vessels.
c. 12.	An Act for granting to His Majesty a Duty upon Licences for retailing Beer, Ale, and other exciseable Liquors; and for establishing a Method for granting such Licences in Scotland; and for allowing such Licences to be granted at a Petty Session in England, in a certain Case therein mentioned.
c. 18.	An Act to obviate a Doubt arisen on an Act made in the last Session of Parliament, intituled An Act for Relief of Insolvent Debtors; and for Relief of Sheriffs and Keepers of Prisons, in respect to Escapes of such Persons as were prevented by the said Doubt from being discharged under the said Act.
c. 23. in part.	An Act for encouraging the Fisheries in that Part of Great Britain called Scotland - - - - - - - - :— Except Sections One, Four and Seventeen.
c. 24.	An Act for granting to His Majesty certain Sums of Money out of the Sinking Fund; and applying certain Sums of Money remaining in the Exchequer for the Service of the Year One thousand seven hundred and fifty-six.
c. 26.	*An Act the title of which begins with the words,*—An Act for further continuing an Act of the Sixth Year of the Reign of His present Majesty,—*and ends with the words,*—Liberty of Westminster.
c. 28.	An Act for reviving and continuing an Act for the Relief of Debtors, with respect to the Imprisonment of their Persons; and for continuing an Act made in the last Session of Parliament, to continue several Laws relating to the Distemper now raging among the Horned Cattle in this Kingdom.
c. 29.	An Act for enabling His Majesty to raise One Million for the Purpose therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.
c. 32.	An Act to indemnify Persons who have omitted to qualify themselves according to the Directions of several Acts of Parliament within the Times limited by such Acts respectively, and for allowing further Time for that Purpose; and concerning the Admissions of Officers and Members of Cities, Corporations, and Borough Towns, and the filing of Affidavits of Articles of Clerkship.
c. 33.	*An Act the title of which begins with the words,*—An Act to render more effectual an Act passed in the Twelfth Year of the Reign of His late Majesty King George,—*and ends with the words,*—in any other Manner than in Money.
c. 35.	An Act for the better recruiting His Majesty's Forces on the Continent of America; and for the better Regulation of the Army, and preventing of Desertion there.
c. 39.	An Act for explaining, amending, and rendering more effectual an Act made in the Twenty-second Year of His present Majesty's Reign, intituled An Act for making a free Market for the Sale of Fish in the City of Westminster; and for preventing the forestalling and monopolizing of Fish; and

	for allowing the Sale of Fish under the Dimensions mentioned in a Clause contained in an Act of the First Year of His late Majesty's Reign, in case the same are taken with a Hook.
30 Geo. 2. c. 2.	An Act to make Provision for the Quartering of the Foreign Troops in His Majesty's Service now in this Kingdom.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-seven; and for discharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future.
c. 4.	*An Act the title of which begins with the words,*—An Act for continuing and granting to His Majesty certain Duties upon Malt,—*and ends with the words,*—Land Tax.
c. 5.	An Act for granting to His Majesty a Sum not exceeding One million fifty thousand and five Pounds and Five Shillings, to be raised by way of Lottery.
c. 6.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 7.	An Act to discontinue for a limited Time the Duties upon Corn and Flour imported, and also upon such Corn, Grain, Meal, Bread, Biscuit, and Flour, as have been or shall be taken from the Enemy and brought into this Kingdom.
c. 8.	An Act for the speedy and effectual recruiting of His Majesty's Land Forces and Marines.
c. 9.	*An Act the title of which begins with the words,*—An Act to prohibit for a limited Time the Exportation of Corn,—*and ends with the words,*—for the Use of the Inhabitants there.
c. 11.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 12. in part.	*An Act the title of which begins with the words,*—An Act to amend an Act made in the Twenty-ninth Year of the Reign of His present Majesty,—*and ends with the words,*—in any other Manner than in Money Section One. } in part; namely,—
c. 13.	An Act to rectify a Mistake in an Act passed this Session of Parliament, intituled An Act for the speedy and effectual recruiting of His Majesty's Land Forces and Marines.
c. 14.	An Act for continuing an Act of this present Session of Parliament, intituled An Act to discontinue for a limited Time the Duties upon Corn and Flour imported, and also upon such Corn, Grain, Meal, Bread, Biscuit, and Flour as have been or shall be taken from the Enemy and brought into this Kingdom.
c. 15.	An Act for continuing an Act of this present Session of Parliament, intituled An Act to prohibit for a limited Time the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour.
c. 16.	An Act to extend the Liberty granted by an Act of the Twenty-third Year of the Reign of His present Majesty, of importing Bar Iron from His Majesty's Colonies in America into the Port of London, to the rest of the Ports of Great Britain; and for repealing certain Clauses in the said Act.
c. 17.	An Act for the Importation of fine Organzined Italian Thrown Silk.
c. 20.	An Act more effectually to prevent the spreading of the Distemper now raging amongst the Horned Cattle in this Kingdom.
c. 23.	An Act for enabling His Majesty to raise the Sum of One Million, for the Uses and Purposes therein mentioned.

c. 24.	An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing gaming in Public Houses by Journeymen, Labourers, Servants, and Apprentices.
c. 25.	An Act for the better ordering of the Militia Forces in the several Counties of that Part of Great Britain called England.
c. 26.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the Sinking Fund,—*and ends with the words,*—for securing the Duties on Tobacco imported by George Buchanan and William Hamilton.
c. 29.	An Act to indemnify Persons who have been guilty of the unlawful importing, landing, or running of prohibited, uncustomed, or other Goods or Merchandise, upon certain Terms therein mentioned.
c. 30.	An Act for allowing a further Bounty on Vessels employed in the White Herring Fishery; for giving Liberty to alter the present Form and Size of the Nets used in the said Fishery; and for other Purposes therein mentioned.
c. 37.	An Act for enlarging the Times limited for executing and performing several Provisions, Powers, and Directions in certain Acts of this Session of Parliament.
31 Geo. 2. c. 1.	*An Act the title of which begins with the words,*—An Act for continuing certain Laws,—*and ends with the words,*—during the Continuance of this Act.
c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-eight.
c. 3.	An Act for allowing the Importation of such fine Italian Organzine Silk into this Kingdom from any Port or Place whatsoever, as shall have been shipped on or before the Day therein mentioned.
c. 4.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-eight; and for enforcing the Payment of the Rates to be assessed upon Somerset House in the Strand.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 6.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 7.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners for putting in Execution an Act of this Session of Parliament,—*and ends with the words,*—and for allowing farther Time to the Receivers of certain Aids, for setting insuper for Monies in Arrear.
c. 9.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace and others who have omitted to register their Qualifications within the Time limited by Law; and for giving further Time for those Purposes, and the filing of Affidavits of Articles of Clerkship.
c. 11. in part.	*An Act the title of which begins with the words,*—An Act to amend an Act made in the Third Year of the Reign of King William and Queen Mary,—*and ends with the words,*—though such Servants are hired for less Time than a Year - - - - - - Section Two. } in part; namely,—
c. 12.	An Act to encourage the Growth and Cultivation of Madder in that Part of Great Britain called England, by ascertaining the Tithe thereof there.
c. 13.	An Act for allowing a further Time for holding the First Meetings of Commissioners or Trustees for putting in Execution certain Acts made in the last Session of Parliament.

c. 14. An Act for further explaining the Laws touching the Electors of Knights of the Shire to serve in Parliament for that Part of Great Britain called England.

c. 15. An Act for the Encouragement of the Exportation of Culm to Lisbon in the Kingdom of Portugal.

c. 21. An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.

c. 26. An Act to explain, amend, and enforce an Act made in the last Session of Parliament, intituled An Act for the better ordering of the Militia Forces in the several Counties of that Part of Great Britain called England.

c. 27. An Act for repealing an Act made in the Twenty-fifth Year of His present Majesty, to restrain the making Insurances on Foreign Ships bound to or from the East Indies.

c. 28. An Act to permit the Importation of Salted Beef, Pork, and Butter, from Ireland for a limited Time.

c. 29. An Act for the due making of Bread, and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour, or Bread.

c. 30. An Act for applying the Money granted by Parliament towards defraying the Charge of Pay and Clothing for the Militia, for the Year One thousand seven hundred and fifty-eight; and for defraying the Expenses incurred on account of the Militia in the Year One thousand seven hundred and fifty-seven.

c. 31. *An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the Sinking Fund,—*and ends with the words,*—and for obliging the Retailers of Wines commonly called Sweets or Made Wines to take out a Wine Licence.

c. 32. in part. *An Act the title of which begins with the words,*—An Act for repealing the Duty,—*and ends with the words,*—Gold or Silver Plate - - - - - } in part; namely,—
Sections One and Fourteen.

c. 33. An Act for enabling His Majesty to raise the Sum of Eight hundred thousand Pounds for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.

c. 35. *An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—and for preventing the stealing or destroying of Madder Roots.

c. 36. in part. *An Act the title of which begins with the words,*—An Act for continuing certain Laws therein mentioned relating to British Sail Cloth, and to the Duties payable on Foreign Sail Cloth,—*and ends with the words,*—and for rendering more commodious the new Passage leading from Charing Cross - - - - - - - - - } :—
Except Sections Ten and Eleven.

c. 37. *An Act the title of which begins with the words,*—An Act to permit the Exportation of certain Quantities of Malt now lying in His Majesty's Storehouses,—*and ends with the words,*—be transported to those Islands.

c. 42. *An Act the title of which begins with the words,*—An Act for making perpetual several Acts therein mentioned for preventing Theft and Rapine on the Northern Borders of England,—*and ends with the words,*—and also so much of an Act as relates to the Power of appealing to the Circuit Courts in Civil Cases, in Scotland.

32 Geo. 2. c. 1. An Act to continue for a limited Time an Act made in the last Session of Parliament, intituled An Act to permit the Importation of Salted Beef, Pork, and Butter from Ireland for a limited Time; and to amend the said Act.

c. 3. An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and fifty-nine.

c. 4.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty-nine.
c. 5.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 7.	An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.
c. 8.	An Act for taking off the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch.
c. 9.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 11.	An Act to permit the free Importation of Cattle from Ireland for a limited Time.
c. 12.	An Act to discontinue, for a limited Time, the Duties payable upon Tallow imported from Ireland.
c. 14.	An Act for the more regular and easy collecting, accounting for, and paying of Post Fines which shall be due to the Crown, or to Grantees thereof under the Crown; and for the Ease of Sheriffs in respect to the same.
c. 17.	An Act for obviating a Doubt with respect to the summoning of Persons for Offences committed against, or Forfeitures incurred by, the Laws of Excise.
c. 18.	*An Act the title of which begins with the words,*—An Act to continue so much of an Act made in the Nineteenth Year,—*and ends with the words,*—and to punish Persons who shall adulterate Meal, Flour, or Bread.
c. 19.	*An Act the title of which begins with the words,*—An Act to explain and amend an Act passed in the Thirtieth Year,—*and ends with the words,*—Licences for retailing Wine.
c. 20.	An Act for enforcing the Execution of the Laws relating to the Militia; and for removing certain Difficulties and preventing Inconveniences attending or which may attend the same.
c. 21.	An Act for applying the Money granted in this Session of Parliament towards defraying the Charge of Pay and Clothing for the Militia, from the Thirty-first Day of December One thousand seven hundred and fifty-eight to the Twenty-fifth Day of March One thousand seven hundred and sixty.
c. 23.	*An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—Clerks to Attornies or Solicitors, and filing thereof.
c. 28. in part.	An Act for Relief of Debtors with respect to the Imprisonment of their Persons; and to oblige Debtors who shall continue in Execution in Prison beyond a certain Time, and for Sums not exceeding what are mentioned in the Act, to make Discovery of and deliver upon Oath their Estates for their Creditors Benefit - - - - - - - } in part; namely,— Section Five, Section Twelve to "registered as aforesaid," and Sections Thirteen to Twenty-four.
c. 29.	An Act for further regulating the Power of taking Samples of Foreign Spirituous Liquors by the Officers of Excise; and also for empowering the Traders to take such Samples before the Duties are charged.
c. 31.	An Act for granting to His Majesty certain Sums of Money out of the Sinking Fund; and for applying certain Monies remaining in the Exchequer for the Service of the Year One thousand seven hundred and fifty-nine; and for Relief of Samuel Taylor with respect to a Bond entered into by him for securing the Duties on Tobacco imported.
c. 34.	An Act for the better preventing the Importation of the Woollen Manufactures of France into any of the Ports in the Levant Sea by or on the Behalf of any of His Majesty's Subjects; and for the more effectual preventing the illegal Importation of Raw Silk and Mohair Yarn into this Kingdom.

c. 35.	An Act for augmenting the Salaries of the Puisne Judges in the Court of King's Bench, the Judges in the Court of Common Pleas, the Barons of the Coif in the Court of Exchequer at Westminster, the Judges in the Courts of Session and Exchequer in Scotland, and Justices of Chester, and the Great Sessions for the Counties in Wales.
c. 36.	An Act for enabling His Majesty to raise the Sum of One Million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.
33 Geo. 2. c. 1.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty.
c. 2.	An Act to enable His Majesty's Lieutenants of the several Counties, Ridings, or Places in that Part of Great Britain called England to proceed in the Execution of the Laws relating to the Militia, notwithstanding any Suspension of the same; and for other Purposes relating to the said Laws.
c. 3.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty.
c. 5.	An Act to continue, for a limited Time, the Importation of salted Beef, Pork, and Butter from Ireland.
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 8.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 9.	*An Act the title of which begins with the words,*—An Act for preventing the excessive Use of Spirituous Liquors, by laying additional Duties thereon,—*and ends with the words,*—and preventing the fraudulent Relanding or Importation thereof.
c. 13.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
c. 14.	An Act for enlarging the Times for the First Meetings of Commissioners or Trustees for putting in execution certain Acts of this Session of Parliament.
c. 15.	An Act for rendering the Exportation of Culm from the Harbour of Milford, in the County of Pembroke, and the Limits thereof, to the neighbouring Counties, more easy to the Proprietors and Purchasers of the same, and for better securing the Duties payable thereon.
c. 16.	*An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Solicitors, and filing thereof.
c. 17.	An Act to continue an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled An Act for the better Encouragement of the making of Sail Cloth in Great Britain.
c. 18.	An Act for enabling His Majesty to raise the Sum of One Million for the Uses and Purposes therein mentioned, and for further appropriating certain Supplies granted in this Session of Parliament.
c. 21.	An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year One thousand seven hundred and sixty.
c. 22.	*An Act the title of which begins with the words,*—An Act for limiting, confining, and better regulating the Payment of the weekly Allowances made by Act of Parliament,—*and ends with the words,*—for the better ordering of the Militia Forces in that Part of Great Britain called England.
c. 23.	An Act for enabling His Majesty to raise a certain Sum of Money towards paying off and discharging the Debt of the Navy, and towards Naval Services for the Year One thousand seven hundred and sixty.

c. 24.	*An Act the title of which begins with the words,*—An Act for applying the Money granted in this Session of Parliament towards defraying the Charge of Pay and Clothing of the unembodied Militia,—*and ends with the words,*—Pay of the embodied Militia.
c. 26.	*An Act the title of which begins with the words,*—An Act for reviving and continuing so much of an Act made in the Twenty-first Year of His present Majesty's Reign,—*and ends with the words,*—and for securing the Peace thereof.
c. 28.	An Act for encouraging the Exportation of Rum and Spirits of the Growth, Produce, and Manufacture of the British Sugar Plantations, from this Kingdom, and of British Spirits made from Melasses.
c. 29.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who have omitted to qualify themselves,—*and ends with the words,* further Time for those Purposes.

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1 Geo. 3. c. 1.	An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-one.
c. 3.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-one.
c. 4.	An Act to continue for a limited Time the Importation of Salted Beef, Pork, and Butter from Ireland.
c. 5.	An Act to enable His Majesty to be Governor of the South Sea Company.
c. 6.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 8.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 9.	An Act to continue an Act made in the Sixth Year of the Reign of His late Majesty King George the Second, intituled An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America.
c. 10.	An Act for extending an Act intituled An Act to discontinue for a limited Time the Duties payable on Tallow imported from Ireland to Hogs Lard and Grease.
c. 12.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who have omitted to qualify themselves,—*and ends with the words,* —further Time for those Purposes.
c. 14.	*An Act the title of which begins with the words,*—An Act to extend the Provisions relating to the holding of Courts-martial,—*and ends with the words,*—Courts of Judicature.
c. 15.	An Act to enable His Majesty to grant unto George Keith, late Earl Marischall, a Sum therein limited, out of the Principal Money and Interest now remaining due to the Public on account of the Purchase Money of certain Parts of the forfeited Estates of the said late Earl.
c. 16.	An Act to continue the Duties for Encouragement of the Coinage of Money.
c. 17.	An Act for Relief of Insolvent Debtors.
c. 18.	An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer, for the Service of the Year One thousand seven hundred and sixty-one.

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c. 19.	An Act for enabling His Majesty to raise the Sum of One Million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament; and for exempting any Annuities or Sums of Money granted or to be granted to the Royal Family from Payment of Taxes.
c. 20.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise a certain Sum of Money,—*and ends with the words,*—filing thereof.
c. 22.	*An Act the title of which begins with the words,*—An Act for applying the Money granted in this Session of Parliament,—*and ends with the words,*—One thousand seven hundred and sixty-one.
c. 23. in part.	An Act for rendering more effectual the Provisions in an Act made in the Twelfth and Thirteenth Years of the Reign of His late Majesty King William the Third intituled An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, relating to the Commissions and Salaries of Judges - - - - - The last Section. } in part; namely,—
2 Geo. 3. c. 1.	An Act for enabling His Majesty to make Provision for supporting the Royal Dignity of the Queen in case She shall survive His Majesty.
c. 2.	An Act to repeal so much of an Act passed in the First Year of the Reign of His present Majesty King George the Third, intituled An Act for the Relief of Insolvent Debtors, as relates to Creditors compelling Prisoners charged in execution to deliver up their Estates, and to such Prisoners being thereupon discharged.
c. 3.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-two.
c. 4.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-two.
c. 5.	An Act for more effectually preventing the excessive Use of Spirituous Liquors for Home Consumption by laying additional Duties upon Spirits made in Great Britain or imported into the same; and for better regulating and encouraging the Exportation of British-made Spirits; and for securing the Payment of the Duties upon Spirituous Liquors.
c. 6.	An Act for the Importation of Salted Beef, Pork, and Butter into this Kingdom from Ireland, for a limited Time, for the Supply of His Majesty's Ships, Transport and other Ships and Vessels in His Majesty's immediate Service and Pay.
c. 7.	An Act for enabling His Majesty to raise a certain Sum of Money towards paying off and discharging the Debt of the Navy, and towards Naval Services, for the Year One thousand seven hundred and sixty-two.
c. 11.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 12.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 13.	An Act for appointing Commissioners for putting in execution an Act of this Session of Parliament, intituled An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-two.
c. 14.	*An Act the title of which begins with the words,*—An Act to prevent vexatious Proceedings against Brewers,—*and ends with the words,*—shipped for Exportation as Merchandise.

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c. 18.	An Act for rendering more effectual an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled An Act for providing a public Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude.
c. 20.	An Act to explain, amend, and reduce into One Act of Parliament the several Laws now in being relating to the raising and training the Militia within that Part of Great Britain called England.
c. 23.	*An Act the title of which begins with the words,*—An Act to indemnify such as have omitted to qualify themselves,—*and ends with the words,*—Affidavits of Articles of Clerkship.
c. 25.	An Act for naturalizing such Foreign Protestants as have served, or shall serve, for the Time therein mentioned, as Officers or Soldiers in His Majesty's Royal American Regiment, or as Engineers in America.
c. 26.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
c. 33.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—the last Five Parliaments.
c. 34.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise the Sum of One Million,—*and ends with the words,*—Harbour of Dublin.
c. 35.	*An Act the title of which begins with the words,*—An Act for applying the Money granted in this Session of Parliament,—*and ends with the words,*—One thousand seven hundred and sixty-two.
c. 36. in part.	*An Act the title of which begins with the words,*—An Act for better securing the Payment of the Sums of Money,—*and ends with the words,*—Great Sessions for the Counties in Wales for the Time being :— Except Sections Four and Five.
3 Geo. 3. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-three.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-three.
c. 3.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 4.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of several of the Commissioners,—*and ends with the words,*—One thousand seven hundred and sixty-three.
c. 5.	*An Act the title of which begins with the words,*—An Act to indemnify such as have omitted to qualify themselves for Offices and Employments,—*and ends with the words,*—Affidavits of Articles of Clerkship.
c. 6.	*An Act the title of which begins with the words,*—An Act for explaining and amending an Act,—*and ends with the words,*—that Part of the United Kingdom.
c. 7.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 8.	An Act to enable such Officers, Mariners, and Soldiers as have been in the Land or Sea Service, or in the Marines, since the Twenty-second Year of His late Majesty King George the Second, to exercise Trades.
c. 10.	*An Act the title of which begins with the words,*—An Act for applying the Money granted in this Session of Parliament,—*and ends with the words,*—the Militia in the said Year.
c. 13.	An Act for more effectually securing the Payment of the Duties upon Malt, by preventing Frauds in the obtaining of Allowances, and the mixing of fresh Corn or Grain with Corn or Grain making into Malt.

c. 14.	An Act for the Encouragement of John Harrison to publish and make known his Invention of a Machine or Watch for the Discovery of the Longitude at Sea.
c. 15. in part.	An Act to prevent occasional Freemen from voting at Elections of Members to serve in Parliament for Cities and Boroughs - - - - - - - - - in part; namely,— Sections One and Two.
c. 17.	*An Act the title of which begins with the words,*—An Act for raising a certain Sum of Money by Loans or Exchequer Bills,—*and ends with the words,*—if such Places had remained in His Majesty's Possession.
c. 18.	An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer, for the Service of the Year One thousand seven hundred and sixty-three.
c. 20.	An Act for permitting the Importation from Ireland of stale and dirty Butter, not fit for eating, commonly called Grease Butter.
c. 25.	*An Act the title of which begins with the words,*—An Act to continue and amend Two Acts,—*and ends with the words,*—Declaration of War with Spain.
4 Geo. 3. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-four.
c. 2.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-four.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act for exhibiting a Bill in this present Parliament, for naturalizing His Highness the Hereditary Prince of Brunswick Lunenburg.
c. 6.	An Act to continue for a limited Time the free Importation of Tallow, Hogs Lard, and Grease, from Ireland.
c. 8.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 9.	An Act for repealing the Duties now payable upon Beaver Skins imported, and for granting other Duties in lieu thereof; and for granting certain Duties upon the Exportation of Beaver Skins and Beaver Wool; and for taking off the Drawback allowed on the Exportation of such Skins.
c. 11.	An Act for continuing certain Laws therein mentioned relating to British Sail Cloth, and to the Duties payable on Foreign Sail Cloth, and to the Allowance upon the Exportation of British-made Gunpowder, and for giving further Encouragement for the Importation of Naval Stores from the British Colonies in America.
c. 13.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—Orders, lost, burnt, or otherwise destroyed.
c. 14.	An Act for the better regulating of Buildings, and to prevent Mischiefs that may happen by Fire within the Weekly Bills of Mortality and other Places therein mentioned.
c. 15.	*An Act the title of which begins with the words,*—An Act for granting certain Duties in the British Colonies and Plantations in America,—*and ends with the words,*—and improving and securing the Trade between the same and Great Britain. Repealed as to all Her Majesty's Dominions.
c. 17.	An Act to explain and amend an Act passed in the Second Year of the Reign of His present Majesty, intituled An Act to explain, amend, and reduce into One Act of Parliament the several Laws now in being relating to the raising and training the Militia within that Part of Great Britain called England.

c. 20.	An Act for vesting the Fort of Senegal, and its Dependencies, in the Company of Merchants trading to Africa.
c. 22.	An Act for continuing several Acts of Parliament made for the Encouragement of the Whale Fishery carried on by His Majesty's Subjects.
c. 23.	*An Act the title of which begins with the words,*—An Act for raising a certain Sum of Money by Loans or Exchequer Bills,—*and ends with the words,*—Clerks, Apprentices, and other Servants.
c. 26.	An Act for granting a Bounty upon the Importation of Hemp and rough and undressed Flax from His Majesty's Colonies in America.
c. 27.	An Act for granting for a limited Time a Liberty to carry Rice from His Majesty's Provinces of South Carolina and Georgia directly to any Part of America to the Southward of the said Provinces, subject to the like Duty as is now paid on the Exportation of Rice from the said Colonies to Places in Europe situate to the Southward of Cape Finisterre.
c. 28.	An Act to enable His Majesty, with the Advice of His Privy Council, to order the Importation of Provisions from Ireland during the next Recess of Parliament, under certain Restrictions and Regulations therein mentioned.
c. 29.	An Act for the Encouragement of the Whale Fishery in the Gulf and River of Saint Lawrence, and on the Coasts of His Majesty's Colonies in America.
c. 30.	An Act for applying the Money granted in this Session of Parliament for defraying the Charge of the Pay and Clothing of the Militia of that Part of Great Britain called England for One Year, beginning the Twenty-fifth Day of March One thousand seven hundred and sixty-four.
c. 34.	An Act to prevent Paper Bills of Credit, hereafter to be issued in any of His Majesty's Colonies or Plantations in America, from being declared to be a legal Tender in Payments of Money, and to prevent the legal Tender of such Bills as are now subsisting from being prolonged beyond the Periods limited for calling in and sinking the same. Repealed as to all Her Majesty's Dominions.
c. 36.	An Act to continue an Act made in the Fifth Year of the Reign of His late Majesty King George the Second, intituled An Act to prevent the committing of Frauds by Bankrupts; and for extending the Laws relating to Hackney Coaches to the Counties of Kent and Essex.
c. 37.	*An Act the title of which begins with the words,*—An Act for the better establishing a Manufactory of Cambrics and Lawns,—*and ends with the words,*—in that Part of Great Britain called England.
c. 38.	An Act for allowing further Time for Enrolments of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
5 Geo. 3. c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-five.
c. 3.	*An Act the title of which begins with the words,*—An Act for extending the Time granted by an Act passed in the Third Year of the Reign of His present Majesty,—*and ends with the words,*—in His Majesty's Possession.
c. 4.	An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, Deputy Lieutenants, Officers of the Militia, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law; and for giving further Time for those Purposes.
c. 5.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-five.
c. 6.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 7.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 11. An Act for rendering more effectual an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled An Act for providing a public Reward for such Person or Persons as shall discover the Longitude at Sea, with regard to the making Experiments of Proposals made for discovering the Longitude.

c. 15. An Act for enlarging the Times limited for executing and performing several Provisions, Powers, and Directions in certain Acts of this Session of Parliament.

c. 18. An Act for continuing an Act made in the Thirty-first Year of His late Majesty's Reign, for encouraging the Growth and Cultivation of Madder in that Part of Great Britain called England, by ascertaining the Tithe thereof.

c. 19. An Act for raising a certain Sum of Money by Loans or Exchequer Bills for the Service of the Year One thousand seven hundred and sixty-five.

c. 20. *An Act the title of which begins with the words,*—An Act for explaining and rendering more effectual Two Acts,—*and ends with the words,*—and to enlarge the Number of Commissioners for putting in execution the said Act.

c. 21. *An Act the title of which begins with the words,*—An Act for appointing Commissioners to put in execution an Act,—*and ends with the words,*—Commissioners of the Land Tax.

c. 22. An Act for the further Encouragement of the British White Herring Fishery.

c. 24. An Act to oblige Agents for Prize Money to account for such Sums of Money as remain in their Hands unclaimed, the Property of any of His Majesty's Land Forces; and for the Application thereof.

c. 25. An Act to alter certain Rates of Postage, and to amend, explain, and enlarge, several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office.
Repealed as to all Her Majesty's Dominions.

c. 27. An Act to provide for the Administration of the Government in case the Crown should descend to any of the Children of His Majesty, being under the Age of Eighteen Years, and for the Care and Guardianship of their Persons.

c. 29. An Act for repealing the Duties now payable upon Raw Silk imported, and for granting other Duties in lieu thereof; for allowing a Drawback on the Exportation of Raw or Thrown Silk to Ireland; and for prohibiting the Exportation of Raw Silk from Ireland.

c. 30. *An Act the title of which begins with the words,*—An Act for more effectually supplying the Export Trade of this Kingdom to Africa,—*and ends with the words,*—Exportation of Corn, Grain, Malt, Meal, and Flour from thence to the Isle of Man.

c. 31. An Act to discontinue, for a limited Time, the Duties upon Wheat and Wheat Flour imported, and also the Bounty payable on the Exportation of Wheat and Wheat Flour.

c. 32. An Act to enable His Majesty, with the Advice of His Privy Council, to prohibit the Exportation of Wheat, Wheaten Meal, Flour, Bread, Biscuit, and Starch, during the next Recess of Parliament, at such Time and in such Manner as the Necessity of the Time may require, and He, in His Wisdom, shall think convenient and needful.

c. 33. An Act to amend and render more effectual, in His Majesty's Dominions in America, an Act passed in this present Session of Parliament, intituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

c. 34. An Act for applying the Money granted in this Session of Parliament, for defraying the Charge of the Pay and Clothing of the Militia of that Part of Great Britain called England, for One Year, beginning the Twenty-fifth Day of March One thousand seven hundred and sixty-five; and for punishing Militia Men for neglecting their Duty.

c. 35. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Duties on the Exportation of Coals,—*and ends with the words,*—Stamp Duties imposed upon Deeds by Two former Acts - - - - - - - - - - :— Except Sections Ten and Eleven.
c. 36.	An Act to explain, amend, and enforce the several Laws now in being relating to the raising and training the Militia within that Part of Great Britain called England.
c. 40.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—Indentures of Clerks to Attornies and Solicitors.
c. 41.	An Act for the Relief of Insolvent Debtors.
c. 43.	An Act for the better securing and further Improvement of the Revenues of Customs, Excise, Inland, and Salt Duties; and for encouraging the Linen Manufacture of the Isle of Man; and for allowing the Importation of several Goods, the Produce and Manufacture of the said Island, under certain Restrictions and Regulations.
c. 47.	*An Act the title of which begins with the words,*—An Act for increasing the Fund for Payment of the Sums of Money directed,—*and ends with the words,*—Commencement of the Augmentations established by the said Act.
c. 49. in part.	An Act to prevent the Inconveniences arising from the present Method of issuing Notes and Bills by the Banks, Banking Companies, and Bankers in that Part of Great Britain called Scotland - - - - in part; namely,— Section Seven.
6 Geo. 3. c. 1.	An Act to continue an Act made in the last Session of Parliament, intituled An Act for Importation of Salted Beef, Pork, Bacon, and Butter from Ireland for a limited Time.
c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-six.
c. 3.	An Act for allowing the Importation of Corn and Grain from His Majesty's Colonies in America into this Kingdom, for a limited Time, free of Duty.
c. 4.	An Act for allowing the Importation of Oats and Oatmeal into this Kingdom, for a limited Time, Duty free.
c. 5.	An Act to prohibit the Exportation of Corn, Grain, Malt, Meal, Flour, Bread, Biscuit, and Starch, for a limited Time.
c. 7.	*An Act the title of which begins with the words,*—An Act to indemnify such Persons as have omitted to qualify themselves,—*and ends with the words,*—and for allowing them Time to provide Admissions duly stamped.
c. 8.	An Act for punishing Mutiny and Desertion and for the better Payment of the Army and their Quarters.
c. 9.	An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-six.
c. 10.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 11.	*An Act the title of which begins with the words,*—An Act to repeal an Act made in the last Session of Parliament, intituled An Act,—*and ends with the words,*—Penalties and Forfeitures therein mentioned.
c. 13.	*An Act the title of which begins with the words,*—An Act to remove a Doubt concerning such Part of an Act made in the last Session of Parliament,—*and ends with the words,*—Eighteenth Year of the Reign of His late Majesty.
c. 14.	An Act for repealing the Duties granted upon Cyder and Perry by an Act made in the Third Year of His present Majesty's Reign, and for granting other Duties on Cyder and Perry in lieu thereof; and for more effectually securing the Duties on Cyder and Perry imposed by several former Acts.

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c. 15. An Act for raising a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year One thousand seven hundred and sixty-six.

c. 17. An Act for explaining and amending so much of an Act made in the First Year of the Reign of King James the Second, intituled An additional Act for the Improvement of Tillage, as relates to the City of London.

c. 18. An Act to amend and render more effectual in His Majesty's Dominions in America an Act passed in this present Session of Parliament, intituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
Repealed as to all Her Majesty's Dominions.

c. 29. An Act to prevent the fraudulent marking of Framework Knitted Pieces, and Stockings.

c. 30. *An Act the title of which begins with the words,*—An Act for applying the Money granted in this Session of Parliament,—*and ends with the words,*—that Part of Great Britain called England.

c. 31. An Act for taking down and removing certain Lighthouses now standing near the Spurn Point at the Mouth of the Humber; and for erecting other fit and convenient Lighthouses instead thereof.

c. 32. in part. *An Act the title of which begins with the words,*—An Act to extend an Act made in the Fourth Year of the Reign of King George the First,—*and ends with the words,*—and for amending and rendering more effectual the Laws for restraining Muirburn, in forbidden Time, in that Part of the United Kingdom } in part; namely,—
Sections One and Two.

c. 36. An Act for encouraging the Cultivation, and for the better Preservation, of Trees, Roots, Plants, and Shrubs.

c. 37. An Act to explain, amend, and render more effectual an Act made in the Fourth Year of His present Majesty's Reign, for the better regulating of Buildings, and to prevent Mischiefs that may happen by Fire, within the Weekly Bills of Mortality, and other Places therein mentioned.

c. 40. in part. *An Act the title of which begins with the words,*—An Act for explaining and amending such Part of an Act made in the Third Year of the Reign of His present Majesty,—*and ends with the words,*—under the Authority of an Act made in this present Session of Parliament } :—
Except Sections Three and Four.

c. 41. An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year One thousand seven hundred and sixty-six; and for further appropriating the Supplies granted in this Session of Parliament.

c. 42. An Act to continue an Act made in the Fourth Year of the Reign of His present Majesty, for importing Salt from Europe into the Province of Quebec in America, for a limited Time.

c. 44. *An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—Provisions, Powers, and Directions in Acts of this Session of Parliament.

c. 45. An Act for allowing a Bounty on the Exportation of British-made Cordage; and for discontinuing the Drawbacks upon Foreign rough Hemp exported.

c. 46. *An Act the title of which begins with the words,*—An Act for explaining Part of an Act made in the Second Year of the Reign of His present Majesty,—*and ends with the words,*—Tonnage of Ships exporting and importing Spirits.

c. 47. An Act for laying additional Duties on certain Spirits imported; and for prolonging the Time allowed by Law for lodging and keeping in Warehouses Rum and Spirits imported.

c. 48. An Act for the better Preservation of Timber Trees, and of Woods and Underwoods; and for the further Preservation of Roots, Shrubs, and Plants.

c. 49.	*An Act the title of which begins with the words,*—An Act for opening and establishing certain Ports in the Islands of Jamaica and Dominica,—*and ends with the words,*—other British Colony.
c. 50.	*An Act the title of which begins with the words,*—An Act for allowing the Conveyance, from the Ports of Southampton and Portsmouth,—*and ends with the words,*—shipping and landing Goods in the said Island.
c. 51.	*An Act the title of which begins with the words,*—An Act for indemnifying Persons who have incurred certain Penalties,—*and ends with the words,*—unstamped Paper, Vellum, or Parchment.
c. 52.	*An Act the title of which begins with the words,*—An Act for repealing certain Duties in the British Colonies and Plantations,—*and ends with the words,*—British Dominions in America. Repealed as to all Her Majesty's dominions.
7 Geo. 3. c. 1.	An Act to continue an Act made in the Fifth Year of the Reign of His present Majesty, intituled An Act for Importation of Salted Beef, Pork, Bacon, and Butter from Ireland for a limited Time.
c. 2.	*An Act the title of which begins with the words,*—An Act to amend so much of an Act,—*and ends with the words,*—as relates to the Exportation of non-enumerated Goods from the British Colonies in America.
c. 3.	An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, and Starch, and also the Extraction of Low Wines and Spirits from Wheat and Wheat Flour.
c. 4.	An Act for allowing the Importation of Wheat and Wheat Flour from His Majesty's Colonies in America into this Kingdom for a limited Time free of Duty.
c. 5.	An Act for allowing the Importation of Wheat and Wheat Flour from any Part of Europe into this Kingdom for a limited Time free of Duty.
c. 6.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-seven.
c. 7.	*An Act the title of which begins with the words,*—An Act for indemnifying such Persons as have acted for the Service of the Public,—*and ends with the words,*—the said Embargo.
c. 8.	An Act for allowing the Importation of Oats and Oatmeal, Rye and Ryemeal, into this Kingdom, for a limited Time, free of Duty.
c. 10.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 11.	*An Act the title of which begins with the words,*—An Act for allowing the Importation of Wheat,—*and ends with the words,*—for a limited Time.
c. 12.	An Act to discontinue for a limited Time the Duties payable upon the Importation of Tallow, Hogs Lard, and Grease.
c. 13.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 14.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-seven.
c. 15.	*An Act the title of which begins with the words,*—An Act for giving further Time to His Majesty's Lieutenants,—*and ends with the words,*—who have neglected to carry such Parts of the said Act into execution.
c. 16.	An Act for raising a certain Sum of Money by Loans or Exchequer Bills for the Service of the Year One thousand seven hundred and sixty-seven.
c. 17.	*An Act the title of which begins with the words,*—An Act for defraying the Charge of the Pay and Clothing of the Militia,—*and ends with the words,*—His Majesty's other Forces.
c. 19.	An Act to enable His Majesty to settle certain Annuities on their Royal Highnesses the Dukes of York, Gloucester, and Cumberland.

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c. 20.	An Act for granting to His Majesty additional Duties upon Bast or Straw, Chip, Cane, and Horsehair Hats and Bonnets, and upon certain Materials for making the same, imported into this Kingdom.
c. 22.	An Act for further allowing the Importation of Wheat and Wheat Flour, Barley, Barley-meal, and Pulse, free of Duty, into this Kingdom from any Part of Europe.
c. 28.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty additional Duties upon certain Linen Cloth imported,—*and ends with the words,*—to the Sinking Fund.
c. 29.	An Act for explaining an Act made in the Twenty-ninth Year of the Reign of Queen Elizabeth, to prevent Extortion in Sheriffs, Under Sheriffs, and Bailiffs of Franchises or Liberties, in Cases of Execution.
c. 30.	An Act for allowing the free Importation of Rice, Sago Powder, and Vermicelli into this Kingdom from His Majesty's Colonies in North America for a limited Time.
c. 31.	*An Act the title of which begins with the words,*—An Act to indemnify such Persons as have omitted to qualify themselves,—*and ends with the words,*—Indentures of Clerks to Attornies and Solicitors.
c. 33.	*An Act the title of which begins with the words,*—An Act to enforce, in that Part of Great Britain called Scotland,—*and ends with the words,*—and for explaining the said Act.
c. 34.	An Act for allowing further Time for Enrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers.
c. 35.	*An Act the title of which begins with the words,*—An Act to continue several Laws therein mentioned,—*and ends with the words,*—Books, reprinted abroad, and first composed, written, and printed in Great Britain.
c. 36.	*An Act the title of which begins with the words,*—An Act to continue so much of an Act,—*and ends with the words,*—Malt for Exportation before a limited Time.
c. 38. in part.	An Act to amend and render more effectual an Act made in the Eighth Year of the Reign of King George the Second, for Encouragement of the Arts of designing, engraving, and etching Historical and other Prints; and for vesting in and securing to Jane Hogarth, Widow, the Property in certain Prints - - } in part; namely,— Sections Three and Four.
c. 44. in part.	An Act for altering the Stamp Duties upon Policies of Assurance; and for reducing the Allowance to be made in respect of the prompt Payment of the Stamp Duties on Licences for retailing Beer, Ale, and other Exciseable Liquors; and for explaining and amending several Acts of Parliament relating to Hackney Coaches and Chairs - - - - } in part; namely,— Sections Ten to Twenty-one.
c. 46.	*An Act the title of which begins with the words,*—An Act for granting certain Duties,—*and ends with the words,*—Goods in the said Colonies and Plantations. Repealed as to all Her Majesty's Dominions.
c. 47.	*An Act the title of which begins with the words,*—An Act for discontinuing the Duties on Logwood exported,—*and ends with the words,*—Foreign Lace and Needle Work which are prohibited to be imported into this Kingdom.
c. 49. in part.	An Act for regulating certain Proceedings of the General Courts of the United Company of Merchants of England trading to the East Indies - - - } in part; namely,— Sections One and Two.
c. 54.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund,—*and ends with the words,*—Aid to His Majesty by a Land Tax.

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c. 55.	An Act for further continuing an Act of the last Session of Parliament, intituled An Act to amend and render more effectual in His Majesty's Dominions in America an Act passed in this present Session of Parliament, intituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Repealed as to all Her Majesty's Dominions.
c. 56.	*An Act the title of which begins with the words,*—An Act for taking off the Inland Duty of One Shilling per Pound Weight,—*and ends with the words,*—Teas seized and condemned from being consumed in Great Britain.
c. 57.	An Act for establishing an Agreement for the Payment of the annual Sum of Four hundred thousand Pounds, for a limited Time, by the East India Company, in respect of the Territorial Acquisitions and Revenues lately obtained in the East Indies.
c. 58.	An Act for granting to His Majesty additional Duties on certain Foreign Linens imported into this Kingdom; and for establishing a Fund for the encouraging of the raising and dressing of Hemp and Flax.
c. 59.	An Act for restraining and prohibiting the Governor, Council, and House of Representatives of the Province of New York, until Provision shall have been made for furnishing the King's Troops with all the Necessaries required by Law, from passing or assenting to any Act of Assembly, Vote, or Resolution for any other Purpose.
8 Geo. 3. c. 1.	*An Act the title of which begins with the words,*—An Act to continue and amend an Act,—*and ends with the words,*—Wheat and Wheat Flour.
c. 2.	*An Act the title of which begins with the words,*—An Act to continue several Acts,—*and ends with the words,*—for a limited Time, free of Duty.
c. 3.	An Act for the free Importation of Indian Corn or Maize from any of His Majesty's Colonies in America, for a Time therein limited.
c. 4.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-eight.
c. 5.	*An Act the title of which begins with the words,*—An Act to explain, amend, and render more effectual an Act,—*and ends with the words,*—and for other Purposes therein mentioned.
c. 6.	*An Act the title of which begins with the words,*—An Act to indemnify such Persons as have omitted to qualify themselves,—*and ends with the words,*—Time to provide Admissions duly stamped.
c. 7.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 8.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-eight.
c. 9.	*An Act the title of which begins with the words,*—An Act to continue and amend an Act,—*and ends with the words,*—for a limited Time.
c. 11.	An Act for further regulating the Proceedings of the United Company of Merchants of England trading to the East Indies, with respect to the making of Dividends.
c. 12.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 13.	*An Act the title of which begins with the words,*—An Act to explain and amend so much of an Act,—*and ends with the words,*—Irish Establishment.
c. 14.	An Act for providing proper Accommodations for His Majesty's Justices of the Great Sessions in Wales, during the Time of holding such Sessions.
c. 18.	An Act for raising a certain Sum of Money, by Loans or Exchequer Bills for the Service of the Year One thousand seven hundred and sixty-eight.

c. 19.	*An Act the title of which begins with the words,*—An Act for further continuing an Act,—*and ends with the words,*—Payment of the Army and their Quarters. Repealed as to all Her Majesty's Dominions.
c. 20.	An Act for defraying the Charge of the Pay and Clothing of the Militia in that Part of Great Britain called England, for One Year, beginning the Twenty-fifth Day of March One thousand seven hundred and sixty-eight.
c. 23.	*An Act the title of which begins with the words,*—An Act to repeal so much of an Act,—*and ends with the words,*—Sail Cloth in Great Britain.
c. 24.	*An Act the title of which begins with the words,*—An Act to permit the Exportation of certain Quantities of Malt,—*and ends with the words,*—Exportation of Malt.
c. 25. in part.	*An Act the title of which begins with the words,*—An Act for reducing the Duties on foul Salt to be used for Manure,—*and ends with the words,*—upon the Seizure thereof - - - - - - } in part; namely,— Sections One to Three, and Section Seven to end of Act.
c. 27.	An Act for the further continuing several Acts of Parliament made for the Encouragement of the Whale Fishery carried on by His Majesty's Subjects.
c. 30.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money,—*and ends with the words,*—Session of Parliament.
8 Geo. 3. Sess. 1. c. 1.	*An Act the title of which begins with the words,*—An Act for further continuing certain Laws,—*and ends with the words,*—the next Session of Parliament.
9 Geo. 3. c. 1.	An Act to prohibit for a further Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, and Starch, and also the Extraction of Low Wines and Spirits from Wheat and Wheat Flour.
c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and sixty-nine.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	An Act to allow for a further Time the free Importation of Rice into this Kingdom from His Majesty's Colonies in North America.
c. 5.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and sixty-nine.
c. 6.	*An Act the title of which begins with the words,*—An Act for the more effectually preventing the clandestine Importation of Foreign Spirits,—*and ends with the words,*—retailing Spirituous Liquors without Licence.
c. 7.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 9.	*An Act the title of which begins with the words,*—An Act to continue an Act,—*and ends with the words,*—for a limited Time.
c. 11.	*An Act the title of which begins with the words,*—An Act for repealing so much of an Act,—*and ends with the words,*—such Part of the said Act.
c. 12.	*An Act the title of which begins with the words,*—An Act to indemnify such Persons as have omitted to qualify themselves,—*and ends with the words,*—Admissions duly stamped.
c. 14.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners for putting in execution,—*and ends with the words,*—Land Tax.
c. 15.	An Act for raising a certain Sum of Money, by Loans or Exchequer Bills, for the Service of the Year One thousand seven hundred and sixty-nine.

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c. 18.	*An Act the title of which begins with the words,*—An Act for amending and further continuing an Act,—*and ends with the words,*—the Army and their Quarters. Repealed as to all Her Majesty's Dominions.
c. 24.	An Act for carrying into execution certain Proposals made by the East India Company for the Payment of the annual Sum of Four hundred thousand Pounds, for a limited Time, in respect of the Territorial Acquisitions and Revenues lately obtained in the East Indies.
c. 25.	An Act for making perpetual an Act made in the First Year of the Reign of His present Majesty, intituled An Act to continue the Duties for Encouragement of the Coinage of Money.
c. 26.	An Act for the Relief of Insolvent Debtors.
c. 27.	*An Act the title of which begins with the words,*—An Act to continue certain Laws therein mentioned,—*and ends with the words,*—Southward of Cape Finisterre.
c. 33.	An Act for granting to His Majesty a certain Sum of Money to be raised by a Lottery.
c. 34.	An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, and for applying a certain Sum therein mentioned, for the Service of the Year One thousand seven hundred and sixty-nine; and for further appropriating the Supplies granted in this Session of Parliament.
c. 35.	*An Act the title of which begins with the words,*—An Act for discontinuing, upon the Exportation of Iron imported in Foreign Ships,—*and ends with the words,*—and to explain and amend the said Act.
c. 36.	An Act for applying certain Monies therein mentioned for the Service of the Year One thousand seven hundred and sixty-nine.
c. 37. in part.	*An Act the title of which begins with the words,*—An Act for reviving several Acts for preventing Abuses in making Bricks and Tiles,—*and ends with the words,*—and for preventing Parish Poor being paid in base or counterfeit Coin - - - - - -:— Except the last Section.
c. 38.	An Act for further encouraging the Growth and Culture of Raw Silk in His Majesty's Colonies or Plantations in America.
c. 39.	*An Act the title of which begins with the words,*—An Act to permit the free Importation of certain Raw Hides and Skins,—*and ends with the words,*—Importation of such Hides, Horns, and Hoofs for the future.
c. 40.	An Act for defraying the Charge of the Pay and Clothing of the Militia in that Part of Great Britain called England, for One Year, beginning the Twenty-fifth Day of March One thousand seven hundred and sixty-nine.
c. 41.	*An Act the title of which begins with the words,*—An Act for better securing the Duties of Customs,—*and ends with the words,*—from the Port of Kirkwall in the Islands of Orkney.
c. 42.	*An Act the title of which begins with the words,*—An Act for explaining, amending, and continuing an Act,—*and ends with the words,*—Militia within that Part of Great Britain called England.
10 Geo. 3. c. 1.	*An Act the title of which begins with the words,*—An Act for continuing an Act,—*and ends with the words,*—Wheat and Wheat Flour.
c. 2.	*An Act the title of which begins with the words,*—An Act to continue for a further Time an Act,—*and ends with the words,*—British Dominions in America, for a limited Time.
c. 3.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 4.	*An Act the title of which begins with the words,*—An Act for indemnifying all Persons with respect to advising or carrying into execution,—*and ends with the words,*—for a further Time.

c. 5.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and seventy.
c. 6.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and seventy.
c. 7.	An Act for the Regulation of His Majesty's Marine Forces while on shore.
c. 8.	An Act to continue for a limited Time an Act made in the Seventh Year of His present Majesty's Reign, intituled An Act to discontinue for a limited Time the Duties payable upon the Importation of Tallow, Hogs Lard, and Grease.
c. 9.	An Act for defraying the Charge of the Pay and Clothing of the Militia in that Part of Great Britain called England, for One Year, beginning the Twenty-fifth Day of March One thousand seven hundred and seventy.
c. 10.	An Act to permit the Exportation of Malt.
c. 11.	An Act for raising a certain Sum of Money, by Loans or Exchequer Bills, for the Service of the Year One thousand seven hundred and seventy.
c. 12.	An Act to enable the Commissioners for executing the Office of Treasurer of His Majesty's Exchequer, or the Lord High Treasurer for the Time being, to compound with William Hill and John Dyer a Debt due to the Crown from William Pye, for which they are Sureties.
c. 15.	*An Act the title of which begins with the words,*—An Act to continue an Act made in the last Session of Parliament,—*and ends with the words,*—Payment of the Army and their Quarters.
c. 17.	*An Act the title of which begins with the words,*—An Act to repeal so much of an Act,—*and ends with the words,*—and for regulating the Exportation thereof.
c. 30.	*An Act the title of which begins with the words,*—An Act for rectifying a Mistake,—*and ends with the words,*—Kirkwall in the Islands of Orkney.
c. 31.	An Act for extending like Liberty, in the Exportation of Rice from East and West Florida to the Southward of Cape Finisterre in Europe, as is granted by former Acts of Parliament to Carolina and Georgia.
c. 32.	An Act for defraying the Expense of building the new Office of Excise in London out of His Majesty's Revenue of Excise.
c. 33.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of several of the Commissioners,—*and ends with the words,*—for the Service of the Year One thousand seven hundred and seventy.
c. 34.	An Act for rendering more effectual several Acts for providing a Public Reward for discovering the Longitude at Sea; for improving the Lunar Tables constructed by the late Professor Mayer; and for encouraging Discoveries and Improvements useful to Navigation.
c. 35.	*An Act the title of which begins with the words,*—An Act to enable the Governor, Council, and Assembly of His Majesty's Colony of New York,—*and ends with the words,*—Treasury of the said Colony.
c. 37.	*An Act the title of which begins with the words,*—An Act for continuing so much of an Act,—*and ends with the words,*—and for extending the same to the Naval Officers there.
c. 40.	*An Act the title of which begins with the words,*—An Act for appropriating a Fund,—*and ends with the words,*—for the encouraging of the raising and dressing of Hemp and Flax.
c. 42.	*An Act the title of which begins with the words,*—An Act to indemnify such Persons in Great Britain and Ireland as have omitted to qualify themselves,—*and ends with the words,*—Indentures of Clerks to Attornies and Solicitors.

Statute Law Revision.

c. 44. in part.	An Act for more effectually preventing Traders in Exciseable Commodities from using false Weights and Scales, and for explaining and amending several Acts of Parliament relating to Hackney Coaches and Chairs - - -

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. LX.

An Act to amend certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*.

[15th *July* 1867.]

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in* Ireland, *and for the better Payment of their Wages for One Year, and from thence to the End of the then next Session of Parliament*: 3 & 4 Vict. c. 91.

And whereas several Acts have been since passed for amending and extending the same:

And whereas it is expedient to provide for the more effectual Prevention of Frauds committed by Persons employed in the said Manufactures and in the Manufacture of Yarns in *Ireland*, and to amend the said Acts, and to remove certain Doubts which have existed respecting the Construction of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. In the Construction of the said Acts and of this Act the Word "Yarn" shall extend to and include Flax, Hemp, Jute, Cotton, Silk, and Wool which shall have been subjected to any Manipulation or Process to which such Materials respectively are subjected by Manufacturers, unless there be something in the Subject or Context inconsistent with such Meaning.

As to Persons having Yarns of Employers in their Hands.

2. Any Person in the Employment of a Yarn Manufacturer, and having any Yarns of such Manufacturer in the Hands or Power or under the Charge or Control of such Person, shall be deemed to be intrusted therewith for the Purpose of Manufacture.

This Act and recited Act, &c. to be read as One.

3. This Act and the said Act passed in the Third and Fourth Years of the Reign of Her present Majesty, as amended by the Acts since passed for amending the same, shall be read together as One Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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been received by the Board of Trade from any Person or Persons, nor any Opposition made thereto:

And whereas the Conservators of the River *Humber* have signified in Writing to the Board of Trade their full Assent to the said Order:

And whereas Delay and Expense will be occasioned if the said Provisional Order be not sanctioned and confirmed by Act of Parliament; and it is expedient that the same be so sanctioned and confirmed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirmation of Order in Schedule.

1. Notwithstanding anything contained in the Thirteenth Section of "The General Pier and Harbour Act, 1861," the Order set out in the Schedule to this Act shall be and the same is hereby confirmed, and all the Provisions thereof, in Manner and Form as they are set out in the said Schedule, shall from and after the passing of this Act have full Validity and Force.

Saving Rights of Humber Conservancy Commissioners.

2. Save as herein appears, this Act shall not extend to take away, diminish, alter, prejudice, or affect any Rights, Powers, or Privileges for the Time being vested in the Commissioners for the Conservancy of the River *Humber*.

Short Title.

3. This Act may be cited as "The Pier and Harbour Orders Confirmation Act, 1867, (No. 3)."

SCHE-

SCHEDULE.

CLEETHORPES.

Cleethorpes.

Order for the Construction, Maintenance, and Regulation of a Pier at Cleethorpes in the County of Lincoln.

Incorporation of company.

1. The following persons, namely, Henry Peter Andrews, John Hawthorne Lydall, John Beastall Jerram, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the pier and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of "The Cleethorpes Promenade Pier Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

Undertakers.

2. The Cleethorpes Promenade Pier Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Clauses Acts.

3. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," except so much as relates to the purchase or taking of lands otherwise than by agreement, and "The Lands Clauses Consolidation Act Amendment Act, 1860," shall respectively be incorporated with this Order.

Capital.

4. The capital of the Company shall be ten thousand pounds, in one thousand shares of ten pounds each.

Shares not to be issued until one fifth paid up.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum, not being less than one fifth part of the amount of such share, has been paid in respect thereof.

Calls.

6. No call shall exceed two pounds a share, or be made payable within three months of a previous call.

Power to create Preference Shares.

7. The Company, with the sanction of at least three fifths in value of the votes of the shareholders present, in person or by proxy, at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

8. The Company, from time to time, may borrow on mortgage, at interest, any sum or sums of money, not exceeding in the whole three thousand three hundred and thirty-three pounds; but no money shall be so borrowed until the whole of the capital of ten thousand pounds is subscribed for, and one half thereof is paid up, and the Company satisfy the Justice who certifies under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies,

Cleethorpes.

certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9. The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages, by the appointment of a receiver, and the amount to authorize a requisition for a receiver is five hundred pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him, but this provision shall not prevent the Company paying to any shareholder interest on any money advanced by him beyond the amount of calls actually made in conformity with "The Companies Clauses Consolidation Act, 1845."

Money not to be used for deposit under Standing Orders, &c.

11. The Company shall not, out of any money so raised, pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied for purposes of Order.

12. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

13. The first General Meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

14. The number of Directors shall not be more than nine nor less than five.

Quorum of Directors.

15. The quorum of a meeting of Directors shall be three.

First Directors.

16. Henry Peter Andrews, John Hawthorne Lydall, John Beastall Jerram, with such other shareholders (if any) as they add to their number, shall be the first Directors; and the first Directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and Directors shall be elected by the meeting, the retiring Directors being eligible for re-election.

Qualification.

17. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the holding, in his own right, of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds.

Remuneration.

18. The remuneration of the Directors shall, from time to time, be fixed by a general meeting, and shall be divided among the Directors, as they determine.

Power to take lands by agreement.

19. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all or such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed pier and works, and the conveniences connected therewith.

20. The

Cleethorpes.

20. The Company may purchase and hold, for extraordinary purposes, any land not exceeding in the whole three acres.

Lands for extraordinary purposes.

21. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorized by this Order: provided that the pier and works hereby authorized shall not extend seawards more than one thousand five hundred feet without the consent of the Humber Conservancy Commissioners.

Power to make works.

22. The works authorized by this Order comprise the following:

Description of works authorized.

A Pier, Jetty, and Landing-place, with all proper works, approaches, and other conveniences for the embarking and landing of passengers, fish, goods, and merchandise, and other purposes, in the township of Cleethorpes, in the parish of Clee, in the county of Lincoln, commencing at a point upon the edge of the cliff adjoining the recreation ground belonging to the overseers and churchwardens of the parish of Clee, and opposite to the eastern end of a footway leading from the said recreation ground to Albert Street, and extending thence seawards in a north-easterly direction one thousand two hundred feet or thereabouts, the landward portion of which pier, jetty, landing-place, works, and approaches will be wholly situate in or abut upon the township of Cleethorpes aforesaid.

Power to take rates in Schedule.

23. The Company may, for the use of the pier and works, demand and take, in respect of the vessels, persons, fish, animals, and goods in the schedule to this Order specified, any sums not exceeding the rates in that schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

24. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Pass tickets for use of pier.

25. The Company may grant to passengers, promenaders, and other persons pass tickets for the use of the pier and works at such rates, on such terms, and for such periods, not exceeding one year, as may be agreed upon. Such pass tickets shall not be transferable, and shall not be used by any person other than the person to or for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under "The Harbours, Docks, and Piers Clauses Act, 1847," for all the purposes of which Act this Order shall be deemed the Special Act.

Exemption of Custom House Officers from rates.

26. Officers of Customs, being in the execution of their duty, shall at all times have free egress, passage, and ingress on, to, and over the pier and works, by land and with their vessels, without payment.

27. The

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Steam engines, diving bell lighters.

27. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Meters and weighers.

28. The Company shall have the appointment of meters and weighers on, or in connexion with, the pier.

Light to be exhibited.

29. The Company shall at the outer extremity of the pier and works hereby authorized exhibit from sunset to sunrise a light to be from Time to Time approved of by the Brethren of the Hull Trinity House.

Restriction on use of pier.

30. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier or jetty for recreation, or for the embarking or landing of passengers.

Saving rights under Crown Lands Act, 1866.

31. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short Title.

32. This Order may be cited as "The Cleethorpes Promenade Pier Order, 1867."

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates of Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3

Pier and Harbour Order Confirmation (No. 3.)

	s.	*d.*
Beef or Pork, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0

Pier and Harbour Order Confirmation (No. 3.)

		s.	d.
Cleethorpes.	Herrings (fresh), per 1,000	0	3
	Ditto (cured), per barrel	0	3
	Hides:		
	Ox, cow, or horse (wet or dry), each	0	2
	Iron:		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1
	Kelp, per ton	2	0
	Lead, per ton	2	6
	Leather, tanned and dressed, per cwt.	0	3
	Lime, per 28 bushels	1	4
	Limestone, per ton	1	0
	Machinery, per ton	2	6
	Manure (not enumerated), per ton	1	0
	Masts and spars, 10 inches in diameter and upwards, each	4	6
	Ditto, under 10 inches	3	0
	Meat (fresh), per cwt.	0	6
	Milk, per gallon	0	0½
	Musical instruments, per cube foot	0	1
	Nets, per 5 cubic feet	0	4
	Oakum, per cwt.	0	2
	Oils, per tun	2	0
	Oilcake, per ton	2	0
	Oranges and lemons, per box	0	6
	Ores, per ton	1	0
	Oysters, per bushel	0	3
	Paint, per cwt.	0	4
	Pitch and tar, per barrel	0	6
	Potatoes, per cwt.	0	2
	Poultry and game, per dozen	0	4
	Rags and old rope, per ton	2	0
	Sails, per cwt.	0	6
	Salt, per cwt.	0	1
	Sand, per ton	1	0
	Shrimp baskets, each	0	2
	Skins:		
	Calf, goat, sheep, lamb, or dog, per dozen	0	6
	Slates, per ton of 24 cubic feet	2	0
	Spirits (Foreign and British), per hogshead	1	0
	Ditto, ditto, per gallon	0	1
	Stones, per ton of 16 cubic feet	1	6
	Steel, per ton	3	0
	Sugar, per cwt.	0	3
	Tallow, soap, and candles, per cwt.	0	3
	Tea, per chest	1	0
	Tiles, per 1,000	1	6
	Tin and zinc, per ton	3	0
	Tobacco, per cwt.	0	6
	Turbot, per score	0	3
	Turnips, per ton	0	6
	Turpentine and varnish, per barrel	0	6
	Turtle, each	2	6
	Vegetables (not enumerated), per cwt.	0	4
	Vinegar, per hogshead	0	6
	Vitriol, per carboy	1	0
	Water, per cask	0	3

	s.	d.
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto 2½ inches in diameter and under, per 120	4	0
Ditto 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto exceeding 2 feet in length, per 120	3	0
Trenails, per thousand	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1*st.* *Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2*nd.* *Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

Cleethorpes.

3rd. Shed Dues.

	s.	d.
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - -	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - - -	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet or passage boat, for each time any sum not exceeding - - -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - -	0	4
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - -	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Clee, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

VI.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - -	0	8
And for every cwt. beyond - - - - - -	0	4
And for every 20 lbs. weight in addition - - - -	0	1

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXII.

An Act to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, the Invocation of the Saints, and the Sacrifice of the Mass, as practised in the Church of *Rome*; and to render it unnecessary to take, make, or subscribe the same as a Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right. [25th *July* 1867.]

WHEREAS by various Acts a certain Declaration, commonly called the Declaration against Transubstantiation and the Invocation of Saints, and the Sacrifice of the Mass, as practised in the Church of *Rome*, and which Declaration is more fully set forth in the Schedule to this Act annexed, is required to be taken, made, and subscribed by the Subjects of Her Majesty for the Enjoyment of certain Civil Offices, Franchises, and Rights:

And whereas it is expedient to alter the Law in that respect, and to abolish the said Declaration:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of all Provisions in recited Acts requiring said Declaration to be taken as Qualification for Office.

1. From and after the passing of this Act all such Parts of the said Acts as require the said Declaration to be taken, made, or subscribed by any of Her Majesty's Subjects as a Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right shall be and the same are hereby repealed, and it shall not be obligatory for any Person hereafter to take, make, or subscribe the said Declaration as a Qualification for the Exercise or Enjoyment of any Civil Office, Franchise, or Right within the Realm.

Nothing in this Act to enable Roman Catholics to hold Offices other than those they are now entitled to hold.

2. Nothing in this Act contained shall be construed to enable any Person professing the Roman Catholic Religion to exercise or enjoy any Civil Office, Franchise, or Right for the Exercise or Enjoyment of which the taking, making, or subscribing the Declaration by this Act abolished is now by Law a necessary Qualification, or any other Civil Office, Franchise, or Right from which he is now by Law excluded.

SCHEDULE.

Declaration used in England against Transubstantiation, the Invocation of Saints, and the Sacrifice of the Mass, prescribed by 30 *Car. II., Stat. II., c.* 1.

I, *A.B.*, do solemnly and sincerely, in the Presence of God, profess, testify, and declare that I do believe that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ at or after the Consecration thereof by any Person whatsoever; and that the Invocation or Adoration of the Virgin Mary or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous: And I do solemnly, in the Presence of God, profess, testify, and declare that I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me as they are commonly understood by English Protestants, without any Evasion, Equivocation, or mental Reservation whatsoever, and without any Dispensation already granted me for this Purpose by the Pope or any other Authority or Person whatsoever, or without any Hope of any such Dispensation from any Person or Authority whatsoever, or without thinking that I am or can be acquitted before God or Man, or absolved of this Declaration, or any Part thereof, although the Pope or any other Person or Persons or Power whatsoever should dispense with or annul the same, or declare that it was null and void from the Beginning.

Declaration used in Ireland against Transubstantiation, the Invocation of Saints, and the Sacrifice of the Mass, prescribed by 3 *W. & M. c.* 2. (*Eng.*)

I, *A.B.*, do solemnly and sincerely, in the Presence of God, profess, testify, and declare that I do believe that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ at or after the Consecration thereof by any Person whatsoever; and that the Invocation or Adoration of the Virgin Mary or any other Saint,

Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous: And I do solemnly, in the Presence of God, profess, testify, and declare that I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me as they are commonly understood by Protestants, without any Evasion, Equivocation, or mental Reservation whatsoever, and without any Dispensation already granted me for this Purpose by the Pope or any other Authority or Person whatsoever, or without any Hope of any such Dispensation from any Person or Authority whatsoever, or without believing that I am or can be acquitted before God or Man, or absolved of this Declaration, or any Part thereof, although the Pope or any other Person or Persons or Power whatsoever should dispense with or annul the same, or declare that it was null and void from the Beginning.

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CAP. LXIII.

An Act for the Appointment of a Stipendiary Magistrate for *Chatham* and *Sheerness* in the County of *Kent*. [25th *July* 1867.]

WHEREAS it is expedient that a Stipendiary Magistrate be appointed to act in and for the Town of *Chatham* within the Limits of the Parliamentary Borough of *Chatham* (in this Act referred to as *Chatham*), and in and for that Part of the Town of *Sheerness* within which The Local Government Act, 1858, is in force for the Time being (in this Act referred to as *Sheerness*):

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The *Chatham* and *Sheerness* Stipendiary Magistrate Act, 1867.

Appointment of Magistrate for Chatham and Sheerness.

2. It shall be lawful for Her Majesty, from Time to Time, by Warrant under Her Royal Sign Manual, to appoint a fit Person, being a Barrister of not less than Five Years standing, to be, during

during Her Majesty's Pleasure, Stipendiary Magistrate for *Chatham* and *Sheerness* and a Justice of the Peace for and within those Places.

Qualification of Magistrate.

3. It shall not be necessary for any Person so appointed to have any Qualification by Estate, but no Person disqualified to be a Justice of the Peace otherwise than in respect of Estate shall be so appointed.

Magistrate to take Oaths.

4. A Person so appointed shall not act as Magistrate under this Act until he has taken and subscribed before a Judge of One of the Superior Courts of Law at *Westminster* the Oaths required to be taken and subscribed by Justices of the Peace, except the Oath of Qualification.

Restriction on Magistrate acting as Justice.

5. The Magistrate shall not, by virtue of his Appointment under this Act, act as a Justice of the Peace at a Court of Gaol Delivery or General or Quarter Sessions, or in the making or levying of a County Rate.

Jurisdiction over Estuary of Thames.

6. The Jurisdiction of the Magistrate shall extend over the whole of the Waters of the Estuary of the River *Thames* below *Gravesend*, whether within the Body of the County of *Kent* or not, and everything done or happening in any Part of those Waters shall, in relation to the Exercise and Discharge of the Powers and Duties of the Magistrate, and to all Proceedings before and by him, and to all Orders and Acts made and done by him, and to all Proceedings, Orders, and Acts arising thereout or consequent thereon, be deemed to have been done or to have happened within the Body of the County of *Kent*.

Execution of Summons, &c. in County of Kent.

7. Every Summons or Warrant issued by the Magistrate in any Matter within his Jurisdiction may be served and executed by the Constable or Person to whom it is directed in any Part of the County of *Kent*, and within that County every such Summons or Warrant shall have the same Force as if it had been originally issued or subsequently endorsed by a Justice of the Peace for the County of *Kent*.

Clerk to Magistrate.

8. The Magistrate shall from Time to Time appoint a fit Person, being an Attorney in actual Practice, to be his Clerk, during his Pleasure, which Clerk shall do all such Work and transact all such Business as is usually done and transacted by Justices Clerks.

Clerk not to be concerned in Matters

9. The Clerk shall not be concerned, directly or indirectly, by himself or by any Person, in any Matter coming before the Magistrate,

trate, or in any Matter arising thereout or consequent thereon in any Court. before Magistrate.

10. The Magistrate and his Clerk shall be exempt and disqualified from being returned and from serving on any Jury or Inquest, and their Names shall not be inserted in any List of Men qualified and liable to serve as Jurors. Exemption from Juries.

11. There shall be provided, furnished, and maintained, both in *Chatham* and in *Sheerness*, a fit Court and Office for the Sittings of the Magistrate and the Transaction of his Business; and the Rent and Expenses of the Court and Office, and the Expenses of Law and other Books, Printing, and Stationery, and other Expenses connected with or incidental to the Discharge of the Duties of the Magistrate and Clerk, shall be paid and defrayed out of the Funds out of which the Expenses of the Administration of Justice by Justices of the Peace for the County of *Kent* are defrayed. Provision for Court, &c.

12. The Salary of the Magistrate shall be Seven hundred Pounds *per Annum*, and shall be charged on and paid out of the Consolidated Fund of the United Kingdom; and the Salary of the Clerk shall be such as the Commissioners of Her Majesty's Treasury direct, and shall be paid, under the Direction of the Commissioners of Her Majesty's Treasury, out of Money provided by Parliament. Salaries of Magistrate, &c.

13. The Clerk shall take such Fees as are for the Time being authorized to be taken by Justices Clerks in the County of *Kent*, and shall account for the same at such Times and in such Manner as the Commissioners of Her Majesty's Treasury direct; and the Sums received in respect of such Fees shall be paid to the Account of Her Majesty's Exchequer, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom. Fees to be taken by Clerk.

A Table of such Fees shall be kept affixed conspicuously in the Court.

The Magistrate may, for reasonable Cause, remit any Fee, wholly or in part.

14. The Magistrate may award such Costs as to him seem just to be paid to or by either of the Parties to any Charge or Complaint before him, whether a Warrant or Summons has issued or not. Power to award Costs.

15. All Fines, pecuniary Penalties, and Forfeitures imposed by the Magistrate, except those made payable to the Informer or to the Party aggrieved, or such Part of any of them as is made Application of Fines, &c.

Chatham and Sheerness Stipendiary Magistrate.

so payable, and except those recoverable under any Act relating to the Customs, Excise, or other Branch of Her Majesty's Revenue, or to the Post Office, or Trade or Navigation, or under the Factory Acts, shall be recovered for and adjudged to be paid to the Use of Her Majesty, and the same shall be applied in such Manner as the Commissioners of Her Majesty's Treasury direct.

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CAP. LXIV.

An Act to make further Provision for the Despatch of Business in the Court of Appeal in Chancery.

[25th *July* 1867.]

WHEREAS it is expedient to make further Provision for the Despatch of Business in the Court of Appeal in Chancery constituted by the Act Fourteenth and Fifteenth *Victoria*, Chapter Eighty-three : 14 & 15 Vict. c. 83.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Jurisdiction, &c. of Court of Appeal may be exercised by One Judge, except, &c.

1. All the Jurisdiction, Powers, and Authorities of the said Court of Appeal under the said recited Act or under any other Act, may (except as herein-after mentioned), be exercised either by both of the Judges appointed under the said Act when sitting together, or by either of the said Judges when sitting separately, or by the Lord Chancellor when sitting with the said Judges or either of them ; provided that no Decree made on the Hearing of a Cause or on further Consideration, shall be re-heard before the said Judges when sitting separately : Provided also, that the Lord Chancellor

shall and may, while sitting alone, have and exercise the like Jurisdiction, Powers, and Authorities as might have been exercised by the Lord Chancellor if this Act had not been passed.

Lord Chancellor to fix Times of sitting.

2. The Lord Chancellor shall from Time to Time fix the Times at which the Judges of the Court of Appeal appointed under the said Act, or either of them, shall sit with the Lord Chancellor, and at which the said Judges shall sit together or separately; and also what Appeals, Motions, Petitions, and other Matters shall be heard and determined by the full Court, and by the said Judges sitting together or separately, and by the Lord Chancellor sitting alone or with either of the said Judges.

Recited Act and this Act to be as One.

3. This Act and the said recited Act shall be read together as One Act.

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Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867, (No. 2).

SCHE.

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. SHEFFIELD.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Sheffield Local Board, for the Purchase of Lands by the said Board for Street Improvements.
2. DERBY.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.
3. SHERBORNE.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sherborne in the County of Dorset, for the Purchase of Lands by the Local Board of Health for the Supply of Water to their District.
4. ROYTON.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Royton in the County of Lancaster, for the Purchase of Lands in the aforesaid District for Street Improvements.
5. BEDFORD.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Bedford (Lancashire) Local Board, for the Purchase of Lands by the said Board for Sewage Outfall Purposes.
6. SLOUGH.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Slough Local Board, for the Purchase of Lands by the said Board for Works for flushing the Sewers within their District.
7. SANDOWN.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sandown in the Isle of Wight, for the Purchase of Lands by the Local Board for that District for Street Improvements.
8. BURTON-UPON-TRENT.—Provisional Order for the Alteration of the Town of Burton-upon-Trent Act, 1853, in force within the District of the Burton-upon-Trent Local Board.
9. WEST COWES.—Provisional Order altering a Local Act in force in the District of West Cowes.
10. ACCRINGTON.—Provisional Order extending the Borrowing Powers of the Local Board of Health.

SHEFFIELD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Sheffield Local Board, for the Purchase of Lands by the said Board for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, being, by the Council of the said Borough, the Local Board in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land for the purpose of widening, enlarging, and improving certain streets and highways in the said Borough, such land being situate within the District of the said Sheffield Local Board:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, be allowed to put in force the Powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Sheffield being, by the Council of the said Borough, the Local Board for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Eleventh day of April One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The Lands, Buildings, &c. proposed to be taken as described in the foregoing Order, and for the Purposes therein set forth, are the following:

The Numbers in Column 1 refer to those on the Plans accompanying the Petition of the Local Board presented to the Secretary of State for the Home Department by such Board.

[FIRST PART.]

Comprising the Lands, Buildings, &c. required for the intended New Street from the Borough Bridge, Bridgehouses, to Mowbray Street, Harvest Lane.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
1	Beerhouse, House, and Appurtenances.	The Right Reverend Thomas NettleshipStaley, Bishop of Honolulu.	Joseph Troth (Lessee), Frederick Wolf.
2	Butcher's Sale Shop, and Rooms	Thomas Nettleship Staley.	Joseph Troth (Lessee), Francis Dodgson).
3	Greengrocer's Sale Shop and Rooms over.	Thomas Nettleship Staley.	Joseph Troth (Lessee), William Smith, Gibson Hall, and John Hall.
4	Grocer's Sale Shop, House and Rooms.	Thomas Nettleship Staley.	Joseph Troth (Lessee), John Hall, and Gibson Hall.
5	Plumber and Glazier's Shop and House and Rooms over.	Thomas Nettleship Staley.	Joseph Troth (Lessee), Rhoda Hemmingway, Gibson Hall, and John Hall.
6	Cottage House - - -	Thomas Nettleship Staley.	Joseph Troth (Lessee), Empty.
7	Cottage House - - -	Thomas Nettleship Staley.	John Butterworth.
8	Cottage House - - -	Thomas Nettleship Staley.	Jacob Fabre.
9	Cottage House - - -	Thomas Nettleship Staley.	John Clarke.
10	Cottage House - - -	Thomas Nettleship Staley.	William Chatterton.
11	Cottage House - - -	Thomas Nettleship Staley.	William Kay.
12	Cottage House - - -	Thomas Nettleship Staley.	Edward Wood.
13	Cottage House - - -	Thomas Nettleship Staley.	Peter Flanagan.
14	Cottage House - - -	Thomas Nettleship Staley.	Michael Dockrinn.

Local Government Supplemental (No. 2).

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
15	Cottage House, and Coalplace -	Thomas Nettleship Staley.	William Cogin.
16	Coalplace - - - -	Thomas Nettleship Staley.	William Kay.
17	Coalplace - - -	Thomas Nettleship Staley.	Michael Dockrinn.
18	Coalplace - - -	Thomas Nettleship Staley.	Rhoda Hemmingway.
19	Common Passage, Yard, and Conveniences.	Thomas Nettleship Staley.	Frederick Wolf, Francis Dodgson, William Smith, Gibson Hall, John Hall, Rhoda Hemmingway, Joseph Troth (Lessee), John Butterworth, Jacob Fabre, John Clarke, William Chatterton, William Kay, Edward Wood, Peter Flannagan, Michael Dockrinn, and William Cogin.
20	"The Old Brown Cow" Public House and Store Room, formerly Cottage House.	Joseph Smith -	John Coldwell.
21	Stable, Hay Chamber, and Manure Place.	Joseph Smith -	John Coldwell and Joshua Dawson.
22	Shed and Hay Chamber over it -	Joseph Smith -	William West Meggitt.
23	Slaughter-house and Clamming-house.	Joseph Smith -	William West Meggitt.
24	Stable - - - -	Joseph Smith -	John Coldwell and Best.
25	Store for Soot, formerly Three Cottage Houses.	Joseph Smith -	Henry Smith.
25a	Yard, over which Mr. William Carr and The Right Reverend Thomas Nettleship Staley have Right of Road.	Joseph Smith -	John Coldwell, Joshua Dawson, William West Meggitt, Henry Smith, William Carr, Thomas Nettleship Staley, Best.
26	Common Yard and Conveniences. The Right Reverend Thomas Nettleship Staley has a Right of Road over Part of Yard.	Joseph Smith -	John Coldwell, Joshua Dawson, William West Meggitt, Henry Smith, Best, William Carr, and Thomas Nettleship Staley.
27	Butcher's Shop, Sleeping-rooms over, and Stable under the said Shop.	William Carr -	William Carr and John Wall.
28	Pork Butcher's Sale Shop and House, and Shoemaker's Sale Shop and House.	William Carr -	John Wall.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
29	Shoemaker's Workshop - -	William Carr -	John Wall.
30	Slaughter-house - -	William Carr -	George Smith.
31	Stable - - - -	William Carr -	George Woodcock.
32	Pigstye - - -	William Carr -	John Wall.
33	Pigstye - - - -	William Carr -	George Smith.
34	Stable and Hay Chamber over, Slaughter-house, Clamming-house, and Hay Chamber over.	William Carr -	William Carr.
35	Yard and Manure Place - -	William Carr -	William Carr, George Smith, George Woodcock, and John Wall.
36	Stable and Hay Chamber over -	William Carr -	George Pearce.
37	Stable, Shed, and Hay Chamber over.	William Carr -	George Pearce.
38	Dwelling House - - -	William Carr -	George Pearce.
39	Dwelling House - - -	William Carr -	George Pearce and Thomas Chantley.
40	Stable and Hay Chamber over -	William Carr -	George Pearce.
41	Yard, Coal Shed, and Manure Place.	William Carr -	George Pearce.
42	Common Yard and Conveniences. The Right Reverend Thomas Nettleship Staley and Mr. Joseph Smith have Right of Road over Yard.	William Carr -	William Carr John Wall, George Smith, George Woodcock, George Pearce, Thomas Chantley, Thomas Nettleship Staley, and Joseph Smith.
43	The "Hope and Anchor" Public House and Appurtenances.	Robert Younge -	Joseph Ramsden.
44	Yard, Pigstyes, and Conveniences	Robert Younge -	Joseph Ramsden.
45	Hay and Straw Warehouse, formerly Two Cottage Houses.	Robert Younge -	Henry Guest.
46	Two Cowhouses with Hay Chamber over one of them.	Robert Younge -	Elizabeth Twigg.
47	Dwelling House - - -	Robert Younge -	John Hides.
48	Dwelling House and Stable -	Robert Younge -	Joseph Littlewood.
49	Two Stables and Two Pigstyes -	Robert Younge -	Elizabeth Twigg.
50	Yard, vacant Ground, and Conveniences.	Robert Younge -	Joseph Ramsden, Henry Guest, Elizabeth Twigg, John Hides, and Joseph Littlewood.

Local Government Supplemental (No. 2).

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
51	Chaser's Shop - - -	Robert Younge -	Benjamin Hickman.
52	Dwelling House - - -	Robert Younge -	Benjamin Hickman.
53	Dwelling House and Sale Shop over.	Robert Younge -	Martha Stacey and the Representatives of James Hodgson.
54	Dwelling House and Room over	Robert Younge -	Mary Winter and the Representatives of James Hodgson.
55	Dwelling House and Room over	Robert Younge -	Thomas Pearson and the Representatives of James Hodgson.
56	Dwelling Houses - -	Robert Younge -	George Hickman and Martin Keene.
57	Dwelling Houses - - -	Robert Younge -	William Clark and Charles Humphreys.
58	Dwelling House and Room under Back Part.	Robert Younge -	Patrick Dunn and Jane Bingham.
59	Common Yard and Conveniences	Robert Younge -	Benjamin Hickman, Martha Stacey, the Representatives of James Hodgson, Mary Winter, Thomas Pearson, George Hickman, Martin Keene, William Clark, Charles Humphreys, Patrick Dunn, and Jane Bingham.
60	Dwelling House and Room under Back Part.	Henry Drury -	Hannah Broomhead and Martha Martin.
61	Dwelling House and Room under Back Part.	Henry Drury -	Christiana Yeardley and William Fisher.
62	Dwelling House - -	Henry Drury -	Catherine Ingle.
63	Dwelling House - - -	Henry Drury -	James Raby.
64	Dwelling House - - -	Henry Drury -	Mary Woodcock.
65	Dwelling House - - -	Henry Drury -	Job Higdon.
66	Common Road and Conveniences	Henry Drury -	Hannah Broomhead, Martha Martin, Christiana Yeardley, William Fisher, Catherine Ingle, James Raby, Mary Woodcock, and Job Higdon.
67	Dwelling House - -	Henry Vickers -	Mary Ann Nevin.
68	Dwelling House - - -	Henry Vickers -	Leonard Godfrey.
69	Dwelling House - -	Henry Vickers -	Lydia Hibberd.
70	Dwelling House - - -	Henry Vickers -	Rachel Thorpe.
71	Dwelling House - - -	Henry Vickers -	Samuel Fernley.

Local Government Supplemental (No. 2).

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
72	Dwelling House - - -	Henry Vickers -	Empty.
73	Dwelling House - -	Henry Vickers -	Christopher Revitt.
74	Dwelling House - - -	Henry Vickers -	William Booth.
75	Common Yard and Conveniences	Henry Vickers -	Mary Ann Nevin, Leonard Godfrey, Lydia Hibberd, Rachel Thorpe, Samuel Fernley, Christopher Revitt, and William Booth.
76	Vacant Land - - -	The Trustees of His Grace The Duke of Norfolk.	
77	Vacant Land, formerly Road to a Public Watering Place.		

[SECOND PART.]

Opening out of the Spring Vale Road.

No. on Plan No. 2.			
1	Land. 266 Superficial Square Yards, coloured Pink on the Plan.	William Ackroyd -	William Ackroyd.
2	Land. 153 Superficial Square Yards, coloured Blue on the Plan.	William Ellison -	William Ellison.

DERBY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Derby in the County of Derby, by the Council of such Borough, acting as the Local Board for that District, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement, by removing the Piazza Buildings and other buildings, &c., within their District specified as herein-after is described.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon :

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Derby aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Fourth day of May in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Premises proposed to be taken as described in the foregoing Order, and shown upon the Plan accompanying the Local Board of Health's Petition, are the following, being the Land and Premises required for the widening and improving of the eastern side of Rotten Row, and western side of the Market Place, including the north-eastern end of Corn Market, and southern side of Market Head, comprising the Piazza Buildings, Old Shambles, &c.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	Shop and rooms over, with cellarage underneath, and under the adjoining fishmonger's shop (No. 18 on Plan), as well as rooms over the latter.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	HawkinsGodolphin Ayscough and Sir George Alfred Arney.	Frederick Clifton (late), now unoccupied.
2	House, shop, and cellar, with rooms over butcher's shop (No. 19 on Plan) and cellarage under the latter.	Hannah Beeson -		Thomas Cash.
3	Shop and cellar - - -	Martha Randall -	Henry Randall -	Henry Randall.
4	Shop and back room, with rooms over, and cellar; also rooms over shop (No. 3 on Plan).	Martha Randall -		William and George Goodwin.
5	Shop and back room, with rooms over and cellarage.	Executors of the late Frederick Parker (Charles John Storer and John Davis).		William Crabtree.
6	Shop and cellarage, with upper dwelling and show rooms, and rooms over the two butchers' shops (Nos. 22 and 21 on Plan).	Byrom's Charity Trustees—(Benjamin Scott Currey).	Executors of the late Daniel Holme (George Holme and Joseph Hall).	Patrick Joseph Bray.
7	Shop and rooms over, with cellar, and cellarage partly under butcher's shop (No. 22 on Plan).	John Richardson -		Louisa Foster.
8	House, shop, and cellar, with rooms over passage leading to shambles at back of premises.	Henry Nicklinson the elder.		Henry Nicklinson the younger.
9	House, shop, and cellar, with cellarage under the passage leading to shambles; also the first floor immediately over such passage, together with the third floor, all at the north-eastern end of Corn Market.	George Holme -		George Holme.
10	House, shop, and cellarage, with the second floor only over the passage leading to shambles at the north-eastern end of Corn Market; also rooms over the Piazzas.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William John Stenson.	William John Stenson.
11	Upper and lower shops, with rooms over, and over the Piazzas; also cellarage, which extends under shops, the Piazzas, and the Market Place.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William and George Goodwin.	William and George Goodwin.
12	Butcher's shop - - -	Sarah Thomas and John Radford.		Charles Glover.
13	Butcher's shop - -	Sarah Thomas and John Radford.		Henry Bancroft.

Local Government Supplemental (No. 2).

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
*12 and 13	Staircase in Piazzas and dwelling rooms over butchers' shops and Piazzas (Nos. 12 and 13 on Plan).	Mary Curtis - -		William and George Goodwin; John Bradbury.
14	Butcher's shop - - -	Thomas Stenson -		John Martin.
*14	Staircase in Piazzas, and tailors' shops over butcher's shop (No. 14 on Plan), with cellarage underneath the latter, and under Piazzas.	Benjamin Ashmole -		William and George Goodwin.
15	Butcher's shop - - -	Sarah Thomas and John Radford.		Richard Clay.
16	Butcher's shop - - -	Sarah Thomas and John Radford.		Isaac Hardy.
*15 and 16	Staircase in Piazzas and upper dwelling rooms fronting Market Place, being part of the buildings described and numbered separately as 15 and 16 on Plan.	John Sandars - -		John Cook.
*15 and *16	Cellarage connected with butchers' shops (Nos. 15 & 16 on Plan), and partly under Piazzas and the Market Place.	John Sandars - -		David Hackney.
17	Butcher's shop - - -	Richard Parberry -		Henry Radford.
*15, *16, *17,	Staircase in Piazzas and upper rooms and workshops fronting Market Place, the same forming part of the buildings described as butchers' shops, and numbered separately 15, 16, and 17 on Plan; also the cellar under butcher's shop No. 17 on Plan.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Thomas Cooper -	John Cook.
18	Fishmonger's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Thomas Cooper -	Executor of the late Francis Greasley (Joseph Bloor).
19	Butcher's shop - - -	Sarah Kilby - -		Frederick Allen.
20	Butcher's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Hawkins Godolphin Ayscough and Sir George Alfred Arney.	William Barton.
21	Butcher's shop - - -	Stephen Domleo -		Stephen Domleo.
22	Butcher's shop - - -	William John Stenson		Thomas Topham.
23	Butcher's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William and George Goodwin.	William Domleo.

SHERBORNE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sherborne in the County of Dorset, for the Purchase of Lands by the Local Board of Health for Works for the Supply of Water to their District.

WHEREAS the Local Board of Health for the District of Sherborne in the County of Dorset have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land to enable them to provide a sufficient supply of water for such District, and for the other purposes described in such Petition:

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Sherborne aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-sixth day of March in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and Premises proposed to be taken as described in the foregoing Order, and shown upon the Plans accompanying the said Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by agreement.

No. on Plan.	Property proposed to be taken.	Parish, Township, or Extra-parochial Place.	Description.	Owners.	Lessees.	Occupiers.
1	Withey Bed and Pond.	Castleton, Dorset.	A piece of land containing two roods and nine perches or thereabouts, being at the north-east side of a close of meadow called "Morass or the Marsh," and called "the Withey Bed and Pond."	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	The Sherborne Local Board of Health, John Young Melmoth, clerk.	The Sherborne Local Board of Health, John Young Melmoth, clerk.
2	Pasture or meadow land.	Castleton, Dorset.	About half an acre of the said close called "Morass or the Marsh" next adjoining the before-mentioned Withey Bed and Pond, and bounded on the north partly by the turnpike road leading from Sherborne to Oborne, and partly by a dwelling house and garden in the occupation of Miss Burge.	The same -	- - -	Ann Miller.
3	Garden ground	Sherborne, Dorset.	A piece of garden ground on the north side of the before-mentioned pond, and dividing it from the turnpike road, containing by admeasurement ten perches or thereabouts.	The same -	- - -	William Coles.
4	Turnpike road	Sherborne, Dorset.	Turnpike road - -	The trustees of the Sherborne Turnpike Roads, John Young Melmoth, clerk.	- - -	The public.
5	Pasture and orchard land.	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Mary Chandler	- -	Jane Mees.
6	Pasture land -	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Walter Sawtell.

Local Government Supplemental (No. 2).

No. on Plan.	Property proposed to be taken.	Parish, Township, or Extra-parochial Place.	Description.	Owners.	Lessees.	Occupiers.
7	Pasture land -	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Edward Benthall.
8	Pasture land -	Sherborne, Dorset.	Ditto -	The same -	- - -	James Hoddinott.
9	Pasture land -	Sherborne, Dorset.	Ditto - -	Mary Chandler	- - -	Jane Mees.
10	Pasture land -	Sherborne, Dorset.	Ditto - -	The same -	- - -	The same.
11	Turnpike road	Sherborne, Dorset.	Ditto - -	The trustees of the Sherborne Turnpike Roads, John Young Melmoth, clerk.	- - -	The public.
12	Arable land and footpath.	Sherborne, Dorset.	Ditto	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Charles Johnson and the public.
12a	Footpath -	Sherborne, Dorset.	Ditto - -	The Sherborne Highway Board, John Young Melmoth, clerk.	- - -	The public.
13	Arable land -	Sherborne, Dorset.	Ditto - -	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Charles Johnson.

ROYTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Royton in the County of Lancaster, for the Purchase of Lands in the aforesaid District for Street Improvements.

WHEREAS the Local Board for the District of Royton in the County of Lancaster have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, which last-mentioned Act has been adopted in such District, and after complying with the requirements of the said 75th section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable them to purchase certain pieces of land and certain buildings for purposes of street improvement in that District:

And whereas the said Petition duly set forth the pieces of land and buildings intended to be taken for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Commissioners, and such Petition prayed that they might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board shall be empowered to put in force, with reference to the land, building, and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement for the purposes herein-before set forth and described.

Given under my hand this Thirtieth day of March in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Premises proposed to be taken as described in the foregoing Order, and shown upon the Plan accompanying the Royton Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by agreement.

No. on Plan.	Description of Property.	Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Part of three cottage gardens.	Sir Jos. Radcliffe -	John Cooper and Brothers.	John Cooper and Brothers, William Travis, Joseph Platt, and John Firclough.
2	Land used as a water-tub stand.	Jno. Cooper and Brothers.	Ditto ditto -	Mary Hill and Hannah Cooper.
3	Land used for ditto -	Lydia Cooper -	Lydia Cooper - -	Abraham Butterworth.
4 & 5	Land used for ditto -	Jno. Cooper and Brothers.	John Cooper and Brothers.	Joseph Taylor.
6a	Front yards for four houses.	John Travis - -	John Travis - -	George Bailey, Esther Butterworth, John Glover, and Thomas Whiner.
6	Front yards for two houses.	Exors. of Geo. Travis	Exors. of Geo. Travis	Samuel Marsden and Hannah Marsden.
7	Land, fences, and garden.	Exors. of Jas. Milne -	Samuel Schofield -	Samuel Schofield and Saml. Marsden.
8	Old gardens; front of houses.	Mary and Helen Ogden	Mary and Helen Ogden	Abraham Brooks, Robert Wellock, John Buckley, and James Leach.
9	Old gardens; front of houses.	Helen Ogden - -	Helen Ogden - -	Henry Gartside, John Bradley, and Henry Ogden.
10	Old gardens; front of houses.	Mary Ogden - -	Mary Ogden - -	Martha Higgins, John Turner, Edward Gartside, and Ann Whitehead.
11	Wall and flags -	Jno. Holden - -	Jno. Holden - -	Henry Beswick.
12	Yards in front of houses.	Jane Whittaker -	Jane Whittaker -	Jane Whittaker and Mary Cocker.
13	Yards in front of houses.	Betty Taylor - -	Betty Taylor -	Thomas Wolfenden and John Longbottom.
14	Steps at house door -	Jno. Holden - -	John Holden -	Edmund Cocker.
15	Building land -	Jas. Bentley and others.	Jas. Bentley and others.	James Bentley and others.
16	Land in front of houses.	George Baron -	George Baron -	George Baron.
17	Old garden - -	Jane Whitworth -	Jane Whitworth -	Jane Whitworth.
18	Old garden - -	John Wilson - -	John Wilson - -	John Wilson.
19	Land in front of house.	Wm. Wood and others	Wm. Wood and others	John Coates.
20	Land ditto -	Sandy Lowe - -	Sandy Lowe - -	Chal. Turner.
21	Land ditto -	Administrators of John Butterworth.	John Butterworth's administrators.	James Cocker.
22	Land ditto -	James Butterworth -	Jas. Butterworth -	James Butterworth.
23	Steps in Seminary Street.	Abraham Seville -	Abraham Seville -	Henry Winterbottom and others.

BEDFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Bedford (Lancashire) Local Board, for the Purchase of Lands by the said Board for Sewage Outfall Purposes.

WHEREAS the Local Board in and for the District of Bedford in the County of Lancaster have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of Land for purposes of Sewage Outfall and the Drainage of their District:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such Purposes as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported to me thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1. The Local Board for the District of Bedford in the County of Lancaster shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement for the purposes hereinbefore set forth and described.

Given under my hand this Thirtieth day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

Local Government Supplemental (No. 2).

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following:—

DISTRICT OF BEDFORD.

No. on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
1	Half a statute acre of land, or thereabouts, in the Township and District of Bedford, being part of and situate at the northerly end of a certain field called the Bottom Brook Meadow near the Bedford Mills. And all necessary rights of road and approaches thereto.	Thomas Farnworth, Mary Ann Farnworth, James Richardson, Henry Fletcher, George Lowe.	- -	James Mills, William Guest.
2	Half a statute acre, or thereabouts, of land, being part of and situate at the southerly end of a certain field called Southern's Meadow in the Township and District of Bedford. And all necessary rights of road and approaches thereto.	Elizabeth Abbott, John Owen, Richard Abbott, John Hurst.	- -	William Green.

SLOUGH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Slough Local Board, for the Purchase of Lands by the said Board for Works for flushing the Sewers within their District.

WHEREAS the Local Board in and for the District of Slough in the County of Buckingham have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase a certain piece of land for the purpose of constructing a water tower and well for flushing the sewers within their District, and all proper and necessary roads and approaches thereto:

And whereas the said Petition duly set forth in the Schedule annexed thereto the piece of land intended to be taken by such Board for such purpose as shown in the plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now,

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1. The Local Board for the District of Slough shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-seventh day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The Piece of Land proposed to be taken as described in the foregoing Order is the following:—

Description of Land and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupier.
A parcel of land situate in the Parish of Stoke Poges in the County of Buckingham, being a portion of a close of meadow land numbered 24 on the Plan of the district of the Slough Local Government Board, bounded on the north-west by the Windsor Branch of the Great Western Railway, on the south by the public road leading from London to Bath, and on the north and east by the red lines shown on the said Plan.	The Provost and Fellows of Eton College.	William Hallam Botham and George Botham.	Thomas William Harris.

SANDOWN.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sandown in the Isle of Wight, for the Purchase of Lands by the Local Board of that District for Street Improvements.

WHEREAS the Local Board for the District of Sandown in the Isle of Wight have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land to widen, alter, and improve High Street within the aforesaid District:

And whereas the said Petition duly set forth the several pieces of land intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned

no

no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition I, as one of Her Majesty's Principal Secretaries of State as aforesaid, directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Sandown aforesaid shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement for the purposes of Street Improvement as herein-before described.

Given under my hand this Ninth day of April in the year one thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order, and shown upon the Plan accompanying the Sandown Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by agreement.

No. on deposited Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	Garden, yard, and part of house.	Sir Henry Oglander, Baronet.	Charles Meeres -	Charles Meeres.
2	Land in front of house.	Sir Henry Oglander, Baronet.	George Bessant and James Withers.	Mrs. White.
3	Land in front of house.	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers.	Frank Mackett.
4	Land - -	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers.	William Baron Mew, James Withers.
5	Land in front of house.	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers, Daniel Barton Urry.	Daniel Barton Urry.
6	Pasture land -	The warden and scholars' clerks of Saint Mary's College, Winchester.	David Mitchell -	Henry Bound.
7	Plantation -	The warden and scholars' clerks of Saint Mary's College, Winchester.	David Mitchell.	
8	Waste land -	Sir Henry Oglander.		
9	Pasture - -	David Mitchell - -	- - -	Henry Bound.

BURTON-UPON-TRENT.

Provisional Order for the Alteration of the Town of Burton-upon-Trent Act, 1853, in force within the District of the Burton-upon-Trent Local Board.

WHEREAS the Commissioners acting in execution of a certain Local Act of Parliament passed in the sixteenth and seventeenth years of the reign of Her Majesty Queen Victoria (cap. 118.), intituled "An Act for more effectually "improving the Town of Burton-upon-Trent in the County of Stafford," have duly adopted the Local Government Act, 1858, in and for the said Town of Burton-upon-Trent and the District thereof; and whereas parts of the said Local Act have been repealed by a Provisional Order, dated the 28th day of February 1866, confirmed by "The Local Government Supplemental Act, 1866:"

And whereas the said Commissioners acting as a Local Board, under and for the purposes of the said Local Government Act, have now, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for a further partial repeal of the said Local Act (being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit), and for other purposes in such Petition set forth:

And whereas it appears, after consideration of the said Petition, to be expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The Local Act aforesaid of 16 & 17 Vict. c. 118. shall be altered as is set forth and described in Schedule to this Order annexed.

2.—For the better adaptation of the provisions of such Local Act to those of the Local Government Act, 1858, and the Acts incorporated therewith, and vice versâ, and the future execution of such Local Act under the alterations effected by the former repeal and to be effected by the proposed repeal, it is hereby declared that—

The purposes of the unrepealed parts of the Local Act shall be deemed to be purposes of the Local Government Acts aforesaid so far as concerns any provisions whatsoever locally in operation of the same Acts; and in like manner the purposes of the said Local Government Acts, so far as operative, shall be deemed to be purposes of the Local Act so far as concerns the unrepealed parts thereof; and references to rates, to penalties, to damages, to expenses, and other matters contained in the Local Act, and in the portions incorporated of the Commissioners Clauses Act, 1847, and Towns Improvement Clauses Act, 1847, shall be construed to mean rates leviable, penalties recoverable, damages and expenses ascertainable and recoverable, and corresponding

corresponding matters under the Local Government Acts, the said Acts being construed together.

3.—All expenses incurred or to be incurred under the unrepealed parts of the said Local Act or the provisions in operation either heretofore or hereunder of the Local Government Acts or any of them, whether for sewers and for outfall works and reservoir and works for flushing sewers and for drains and for private improvements or other purposes whatsoever, shall be borne by the rates and charges leviable in the District or any part thereof under the Local Government Acts aforesaid, or by monies borrowed on such rates or charges according to the regulations of the same Acts, as if the purposes for which such expenses have been or shall be incurred were purposes of such Local Government Acts.

4.—The General District Rate, according to the said Local Government Acts, shall be levied by the Commissioners for the satisfaction of undischarged debts and expenses of the Commissioners (including mortgage debts), as well those due on or payable out of the Town Rate or other general rate over the District as those due on or payable out of any Special District Rate extending over the same area, and such undischarged debts and expenses may be paid either by such General District Rate or by monies borrowed on such rate.

5.—The receipt of the Commissioners or their Treasurer, or any other person appointed by them to receive the same, for all monies to be borrowed, shall be an effectual discharge for the same; and the persons or person advancing or lending the same shall not be bound or concerned on any account to see to the application thereof or any part thereof, nor be responsible for any misapplication.

6.—Notwithstanding the repeal of portions of the Local Act above mentioned, all rates, contracts, debts, liabilities, securities, appointments, and retainers of officers and servants, law proceedings, byelaws, regulations, and other matters and things already made, done, given, entered into, executed, or instituted by or against the Commissioners under the Local Act or the provisions heretofore in operation of the Local Government Acts, or with reference to the purposes of the same respectively, shall be proceeded and dealt with, paid, maintained, and enforced (subject to the modification as to rates and charges aforesaid) under the Local Act and parts in operation of the Local Government Acts as if the same arose thereunder.

7.—This Order shall be without prejudice to the powers and provisions of the Local Act relating to gasworks and supply, to markets and tolls, and to police, and to coke, which shall all have the same relation to the altered law as they bore to the original.

Given under my hand this Sixth day of April in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The parts of the herein-before recited Local Act (16th and 17th Victoria, chapter 118), repeal of which is above ordered, are as follows:—

To be repealed.		*To be retained.*
Section 37.	Proportion at which land, &c., is to be rated.	All except sections 36, 37, 38, 39, 40, and the parts repealed or to be repealed of 41, 42, 14, and 21.
Section 38.	Rule for rating canals, towing paths, and railways.	
Section 40.	Instalments repaying loans.	
Sections 41, 42.	(Rule of priorities in application of funds) so much as it differs from the directions of the Local Government Acts as to paying off principal monies.	
Section 14.	So far as thereby are incorporated any sections of the Commissioners Clauses Act, 1847, except those set opposite hereto.	Commissioners Clauses Act, 1847: Sections 6 to 16, both inclusive. (Qualification of Commissioners.) Sections 17 to 35, both inclusive. (Election and Rotation of Commissioners.) Sections 36 to 55, both inclusive. (Meetings and other proceedings of Commissioners and their liabilities.) Together with the rule of interpretation. Local Act, section 5.
Section 21.	So far as thereby are incorporated any sections of the Towns Improvement Clauses Act, 1847, except those set opposite hereto. But this repeal is not to affect any clauses incorporated by the unrepealed part of the Local Act, or the provisions locally in operation of the Local Government Act, 1858.	Towns Improvement Clauses Act, 1847: Section 31. (Vaults, &c. under carriageway of streets.) Sections 45 and 46. (Inspection, &c. of drains, privies, and cesspools.) Section 53. (Paving, &c. Streets not yet paved, &c.) So far as concerns streets being public highways. Sections 116, 117, 118. (Lodging houses.) Section 135. (Recreation grounds.) And Sections, 136, 137, 138, 139, 140, 141. (Bathing places.) Except in Sections 135, 136, the words "by a special order as herein defined, but not otherwise," and the words having reference to the inspector. Together with the aforesaid rule of interpretation.

WEST COWES.

Provisional Order altering a Local Act in force in the District of West Cowes.

WHEREAS a Petition under the provisions of the Local Government Act, 1858, has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, from the Local Board of Health for the District of West Cowes in the Isle of Wight, praying for an alteration of a certain Local Act of 56 George 3. cap. 25., intituled "An Act for paving, lighting, cleansing, and "otherwise improving the town of West Cowes in the Isle of Wight in the "county of Southampton, and for establishing a market within the said town:"

And whereas it is by section 13 of the said Act enacted:

"That it shall be lawful for the said Commissioners to add to the wharf or "landing-place situate opposite the place called Feathers Hill within the said "town, and to extend the same eastward, or in such other direction as may be "thought proper, into Cowes Harbour, so far as to enable vessels to lay along-"side, and to land and ship goods and passengers thereon and therefrom, and "of such width as may be necessary for that purpose, and to erect, build, and "set up such cranes and other machinery as they the said Commissioners shall "think necessary and proper for the landing and shipping of passengers, goods, "wares, and merchandises, and from time to time to repair, amend, and keep "in repair the said quays, wharfs, landing-places, and other works, by and out "of the rates and assessments to be raised and collected by virtue of this Act; "and it shall be lawful for the said Commissioners from time to time to "demand, accept, receive, take, and recover of and from all and every pas-"senger and passengers and other person who shall land on the said landing-"place, quays, wharfs, or other works, or embark or go on board any vessel, "boat, wherry, or other machine whatsoever from the said landing-place, "quays, wharfs, and works, or any of them, and for all and every cattle, stock, "goods, wares, and merchandises, and other matters and things whatsoever, "that shall or may be landed, unladen, shipped, laden, unshipped, or otherwise "taken from or placed on the said landing-place, quays, wharfs, or works, or "any part thereof, and for all and every other use that shall be made of the said "landing-place, quays, wharfs, or works, or any part thereof, the several tolls, "rates, duties, dues, and payments mentioned and specified in the first schedule "to this Act annexed, or such less tolls, rates, dues, and duties as the said Com-"missioners shall from time to time think proper, which tolls, rates, duties, and "payments shall be vested in the said Commissioners, and shall be paid and "applied in such and the same manner as the rates and assessments to be levied "and raised for the repairing and amending the highways, streets, ways, paths, "passages, and the said landing-places, quays, wharfs, and works, and for erecting "and maintaining a market-house and market in the said town, are directed to "be paid and applied, and in aid and addition thereto: Provided always, "that nothing in this Act contained shall extend or be construed to extend to "authorize or empower the said Commissioners to demand, collect, or receive of "and from the person or persons for the time being occupying the messuage "or dwelling house called the Torbay Boats in the said town any tolls, rates, or "duties for landing on or embarking from the said landing-place, quays, wharfs,

" or works, or for any goods, wares, merchandises, cattle, or other thing, the " property of and actually belonging to him, them, or any of them, which shall " or may from time to time be landed or embarked from the said landing-place, " quays, wharfs, and work, or any part thereof:"

And whereas the wharf or landing-place opposite the said place called Feathers Hill, being the place by the said Act to which the said Commissioners had the power to add to and extend so as to enable vessels to lay alongside, and to lay and ship goods and passengers thereon and therefrom, was, after the passing of the said Act, found to be a locality unsuited for such purpose, and in consequence such wharf or landing-place has never been added to or extended, and the tolls which would have been received if such addition or extension had taken place have never been received:

And whereas the said Local Board of Health set forth in the said Petition that there is another wharf or landing-place within the said town, which landing-place is called the Fountain Slipway, where vessels may lie alongside, goods and passengers may conveniently land and be shipped, that such landing-place is immediately opposite the Railway Terminus, and in all respects a desirable locality for the purpose, and they therefore pray that the said Act may be amended by inserting the words, " And it shall be lawful for " the said Local Board to add to the wharf or landing-place called the Fountain " Slipway," instead of the words " to add to the wharf or landing-place situate " opposite the place called Feathers Hill," and, by such other alterations and amendments as may be requisite, to transfer the powers now given in relation to the landing-place opposite Feathers Hill to the landing-place called the Fountain Slipway:

And whereas the said messuage or dwelling house called the Torbay Boats in the said town is part of the property held under the will and codicils of George Ward, late of Northwood Park, Cowes, and a certain messuage or dwelling house called the Fountain Hotel, situate close to the said Fountain Slipway, is also part of the property held under the same will and codicils, and it is expedient that if the alteration prayed for in the Petition of the said Local Board be granted the words " Fountain Hotel " should be substituted in the said recited thirteenth section of the said Act instead of the words " Torbay Boats:"

And whereas, in pursuance of the Local Government Act, 1858, inquiry has been made in the said district in respect of the several matters mentioned in the said Petition, and it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

The said Local Act shall be altered, first, by the substitution in the thirteenth section of such Act (56 Geo. 3. cap. 25) of the words, " It shall be lawful for " the Local Board of Health for the District of West Cowes to add to the wharf " or landing-place called the Fountain Slipway," instead of the following words in the said section, " It shall be lawful for the said Commissioners to add to " the wharf or landing-place situate opposite the place called Feathers Hill;"

and

and the aforesaid Local Board of Health shall have all the powers transferred to them with respect and in relation to the said wharf and landing-place called the Fountain Slipway which the Commissioners aforesaid possessed in relation to the wharf or landing-place opposite Feathers Hill, in the herein-before recited section of the said Local Act mentioned, anything in such Act to the contrary notwithstanding. And, secondly, the said Local Act shall be altered by the substitution in the same section of the said Act of the words "Fountain Hotel" instead of the words "Torbay Boats" in the said section, and the occupier or occupiers for the time being of the said messuage or dwelling house called the Fountain Hotel shall have all the rights and privileges of the said section given to the occupier or occupiers for the time being of the said messuage or dwelling house called the Torbay Boats.

Provided always, that, inasmuch as the Fountain Pier immediately to the northward of the Fountain Slipway is private property, forming part of the estate held under the said will and codicil of the said George Ward, deceased, the following provisions shall have full effect; that is to say,—

The said Local Board shall not do any act, matter, or thing whatsoever which shall or may cause any obstruction or impediment whatsoever to the passing or repassing or to the traffic of any steamers or other vessels which may approach, depart from, or use, or attempt to approach, depart from, or use, the said quay called or known as the Fountain Quay, or the pontoon or landing stage, for the purpose of landing or embarking passengers, goods, or otherwise; neither shall the said Local Board do or omit, or permit to be done or omitted, at any time hereafter, any act, matter, or thing soever which shall be a breach in the performance or observance of any of the covenants on their part contained in a certain indenture of lease dated the second day of April one thousand eight hundred and sixty-seven, and made between William George Ward, of Northwood Park aforesaid, Esquire, (the present tenant under the said will and codicils,) of the one part, and the said Local Board of the other part, whereby a certain causeway called the New Fountain Causeway, partly adjoining the said Fountain Slipway, was demised to the said Local Board for the term, and at the rent, and subject to the covenants, provisoes, and agreements, mentioned in the said indenture of lease.

Given under my hand this Twentieth day of April One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

ACCRINGTON.

Provisional Order for extending the Borrowing Powers of the Accrington Local Board of Health.

Whereas the Local Board of Health for the District of Accrington in the County of Lancaster require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, including works of sewerage

sewerage and water supply, within their District, but the sum that will be required to carry out and complete the said works will exceed the assessable value for one year of the premises assessable under the said Act within such District:

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow or reborrow any sum or sums on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Local Government Act, 1858, any sum or sums not exceeding in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted, but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Accrington in the County of Lancaster shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the Local Board of Health aforesaid under the aforesaid Act, the said sum or sums not exceeding in the whole two years assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eleventh day of May One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXVI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. [25th *July* 1867.]

WHEREAS by an Act of the Fifteenth Year of Her Majesty, Chapter Thirty-eight, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make "certain Provisions respecting Exemptions from Tolls," herein-after referred to as the Principal Act, Power is given to One of Her Majesty's Principal Secretaries of State to make Provisional Orders for reducing the Rate of Interest and for extinguishing the Arrears of Interest on Mortgage Debts charged or secured on the Revenues of Turnpike Roads, in Cases where such Revenues are insufficient for the Payment in full of the Interest charged thereon: 14 & 15 Vict. c. 38.

And whereas by the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Forty-six, the Principal Act is extended to Turnpike Roads, the Acts relating to which are continued by any Annual Turnpike Acts Continuance Act, although their Revenues are not insufficient for such Payments as aforesaid: 24 & 25 Vict. c. 46.

And

And whereas, in pursuance of the Principal Act, and the said Act extending the same, the several Provisional Orders referred to in the Schedule hereto have been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said Schedule the Dates of such Orders, and such Particulars relating thereto as are therein specified:

And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

1. The several Provisional Orders, the Dates of which are set forth in the First Column of the said Schedule, are hereby confirmed, and the Provisions thereof shall be of the like Force and Effect as if they had been expressly enacted by Parliament.

Short Title.

2. This Act may be cited for all Purposes as "The Turnpike "Trusts Arrangements Act, 1867."

SCHE-

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the under-mentioned Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1866.		£ s. d.		
23 July	5 & 6 W. 4. c. ciii., "An Act for repairing and otherwise improving the Roads from Oxford, over Botley Causeway, to Fifield in the County of Berks and Witney in the County of Oxford" - - -	11,300 0 0	3*l.* per Cent.	31 Dec. 1866.
4 Sept.	6 W. 4. c. lxii., "An Act for more effectually repairing and improving the Road from the Eastern End of the Borough of Grampound, through the Towns of Saint Austell and Lostwithiel, and thence to the East End of the Western Taphouse Lane, in the County of Cornwall; and for making and maintaining certain new Roads communicating therein;" so far as the same relates to the Saint Austell and Lostwithiel Road -	650 0 0 850 0 0	3*l.* per Cent.	24 June 1866.
4 Sept.	Ditto, ditto; so far as the same relates to the Bodmin and Roche Road	3,200 0 0	2*l.* 10*s.* per Cent.	8 Feb. 1866. (Arrears extinguished).
30 Nov.	5 W. 4. c. xxviii., "An Act for making Turnpike certain Highways between the Towns of Nantwich and Congleton, in the County Palatine of Chester;" so far as the same relates to the Middlewich to Nantwich Branch	425 0 0	3*l.* per Cent.	31 Dec. 1866.
10 Dec.	4 Geo. 4. c. lxxxi., "An Act for amending and keeping in repair the Roads from Dover to Barham Downs, and from Dover to the Town of Folkestone, and from thence through the Parish of Folkestone to Sandgate, in the County of Kent;" so far as the same relates to the Dover and Sandgate Road - - -	1,989 16 0	3*l.* per Cent.	11 Oct. 1866.
17 Dec.	6 Vict. c. xxvi., "An Act for repairing and improving certain Roads in the Neighbourhood of Trentham and Stone in the County of Stafford, and for making and maintaining a new Road from Trentham Inn to the Newcastle-under-Lyme and Market Drayton Turnpike Road in the same County, and another new Piece of Road in the Parish of Trentham aforesaid;" so far as the same relates to the Stone, Lane End, and Trentham, or First District of Roads - -	5,250 0 0	1*l.* per Cent.	31 Dec. 1865. (Arrears extinguished).

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the under-mentioned Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1867. 29 April	3 W. 4. c. lx., "An Act for more effectually repairing the Road from the Turnpike Road in Baldock in the County of Hertford to the Turnpike Road at or near Bourn Bridge in the County of Cambridge"	£ s. d. 3,600 0 0	2*l.* 10*s.* per Cent.	31 Dec. 1866. (Certain Arrears extinguished).

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXVII.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Oswaldtwistle*, *Devizes*, *Layton-with-Warbrick* (*Blackpool*), and *Harrogate*, and for other Purposes relative to certain Districts under the said Act. [25th *July* 1867.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and the several Purposes herein-after set forth should be authorized and enacted:

And whereas by a Provisional Order, bearing Date the Fourth Day of *July* One thousand eight hundred and fifty-one, duly made under the Public Health Act, 1848, and confirmed by the Public Health Supplemental Act, 1851 (No. 2.), the said Public Health

Act was applied to the Parish of *St. John the Baptist, Margate*, in the Isle of *Thanet*, within the Liberties of *Dover*, One of the Cinque Ports, in the County of *Kent*, and the said Parish was constituted a District for the Purposes of the said Act: And whereas a Portion of the said District, being the Portion described as the Rating Area in the said Provisional Order, has since been incorporated, in pursuance of the Act for the Regulation of Municipal Corporations in *England* and *Wales*, as the Borough of *Margate*, by Charter bearing Date the Twenty-ninth of *July* One thousand eight hundred and fifty-seven: And whereas the Local Board for the said District did execute a Deed dated the Second Day of *February* One thousand eight hundred and fifty-eight, purporting to transfer to the Town Council of the said Borough all their Estate, Property, Power, Right, Duties, and Liabilities, and the said Town Council has since acted as the Local Board of the said District: And whereas a Petition has been addressed by the said Town Council to One of Her Majesty's Principal Secretaries of State, praying for an Alteration of the said Provisional Order, so as to confine the Operation thereof to the Boundaries of the said Borough; and due Enquiry and Report has been made into the Matter of such Petition by Direction of One of Her Majesty's Principal Secretaries of State: And whereas it is expedient that the Prayer of the said Petition should be granted:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Partial Repeal of Margate Provisional Order and confirming Act, and Confirmation of Part unrepealed.

1. The following Provisions and Enactment are hereby repealed; namely, Section One of the said Provisional Order for the Parish of *Saint John the Baptist, Margate*, as far as it relates to any Part of that Parish not included within the Boundaries set forth in the Schedule (B.) to that Order, and so much of Section Two of the same Order as authorizes the Extension as therein provided of the Rating Area therein described, and Section One of The Public Health Supplemental Act, 1851 (No. 2.), as far as the same confirms such Portions of the said Provisional Order as are repealed by this Act; and, subject to the Repeal aforesaid, the said Provisional Order shall be absolute, and be as binding, and of like Force and Effect, as if the Provisions of the same had been expressly enacted.

Corporation of Margate to be Local Board.

2. The Mayor, Aldermen, and Burgesses of the Borough of *Margate* in the County of *Kent* (in this Act referred to as the Corporation of *Margate*), acting by the Council of the Borough, shall be the Local Board in and for the District of *Margate*; and the Powers, Authorities, Rights, Property, Duties, and Liabilities of any Local Board of Health elected for the District of

Margate

Margate (whether any such Board was validly and effectually elected and constituted or not) are hereby absolutely transferred to and vested in the Corporation of *Margate* as the Local Board for the District of *Margate*.

Confirmation of Orders, &c.

3. All Orders, Byelaws, Purchases, and Rates made, Acts and Things done, and Engagements entered into by or with the Council of the Borough of *Margate*, professing to act as a Local Board of Health, subsequently to the Second Day of *February* One thousand eight hundred and fifty-eight, shall be and be deemed to have always been valid, and the same shall be binding in favour of and against and be fulfilled by the Corporation of the Borough, acting by the Council, as the Local Board for the District of *Margate* by virtue of this Act, and all Persons in relation to the Corporation as such Local Board; and the Persons who in the Capacity of Members of the Council acted as such Local Board subsequently to that Day, and all Officers and Persons who acted under their Authority or by their Direction subsequently to that Day, are hereby discharged from and indemnified against all Penalties, Liabilities, Claims, and Demands in consequence of their having so acted, but nothing herein shall make valid an Order of the said Council for the Extension of the Rating Area of the District of the Parish of *Saint John the Baptist, Margate*, bearing Date the Thirty-first Day of *May* One thousand eight hundred and sixty-four, and the same is hereby annulled.

Costs of Act as to Margate.

4. All Costs, Charges, and Expenses incurred by the Corporation of *Margate* with reference to any Question concerning the Existence, Constitution, Election, Powers, Rights, or Duties of any Local Board for the District of *Margate*, or of any Body claiming to be or professing to act as such Local Board, including the Costs, Charges, and Expenses of the Corporation preliminary to, and of and incidental to the preparing, applying for, obtaining, and passing of the Enactments of this Act relative to the District or to the Borough of *Margate*, shall be paid by the Corporation, acting by the Council, as the Local Board for the District of *Margate*, out of the General District Rates for that District.

Provisional Orders in Schedule confirmed.

5. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of like Force and Effect, as if the Provisions of the same had been expressly enacted.

6. This

Act incorporated with 21 & 22 Vict. c. 98.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867 (No. 4.)"

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. OSWALDTWISTLE.—Extension of borrowing Powers.
2. DEVIZES.—Alteration of Parts of Local Acts.
3. LAYTON-WITH-WARBRICK (BLACKPOOL).—Alteration of Local Act.
4. HARROGATE.—Putting in force the Lands Clauses Consolidation Act, 1848, for the Purchase and taking of Lands otherwise than by Agreement.

OSWALDTWISTLE.

Provisional Order for extending the Borrowing Powers of the Oswaldtwistle Local Board.

WHEREAS the Local Board for the District of Oswaldtwistle, in the County of Lancaster, have under the provisions of the Local Goverment Act, 1858, petitioned one of Her Majesty's Principal Secretaries of State for power to borrow or reborrow, on mortgage of the rates, sums which with the sums already borrowed by that Board will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed; and such sums will be required for permanent works referred to in such Petition or contemplated in the said District.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed under the said Act for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Oswaldtwistle, in the County of Lancaster, shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature within such District, and on mortgage of the rates leviable by them as such Board, a sum or sums which shall not, with the sums already borrowed by them, exceed in the whole two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Seventeenth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

DEVIZES.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Devizes Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Devizes, in the County of Wilts, by the Council of the said Borough acting as the Local Board in and for such Borough, being the District in which the Local Government Act, 1858, is in force, have, in pursuance of that Act, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration

tion and partial repeal of and transfer of powers under a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the sixth year of the reign of King George the Fourth (6 Geo. 4. Cap. 162.), intituled "An Act for paving, lighting, cleansing, "watching, and improving the Borough of Devizes, in the County of Wilts; "and for removing and preventing nuisances and annoyances therein."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed to be duly made in the said District in respect of the several matters mentioned in the said Petition, and report has been made thereon by Arnold Taylor, Esquire, the Inspector appointed for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the herein-before recited Local Act, passed in the sixth year of the reign of King George the Fourth (Cap. 162.), to be repealed are those described in the Schedule to this Order annexed; and all the exemptions from or restrictions on rating conferred by the said Act shall cease and determine.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said herein-before recited Local Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid, who shall moreover have power to exercise and carry into effect all such powers, &c., not only in the Parishes comprised within the said Local Act but also in all such parts of the chapelry of St. James and of the Parish of Rowde as lie within the District of the said Local Board, as if all such powers, &c., had been conferred upon them within such extended area by the unrepealed portions of the said Local Act.

3.—All the property and estate of the said Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board upon the terms herein-after set forth and described; and such Board shall have full power and authority to sell and dispose of the same, or of any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

4.—The gasworks as a going concern and all other property and effects of the said Commissioners shall be valued by two competent valuers, to be appointed in accordance with the provisions of the Local Government Act, 1858, by the Commissioners and by the Local Board, or by their umpire in case of disagreement; but in making such valuation nothing shall be estimated for the goodwill or in respect of such portion

portion of the site of the said gasworks as was granted by the Corporation without any payment being made for it, or of such portion as is held under a lease from the Corporation which will expire on the 4th of September 1869. The amount of such valuation shall be raised by the Local Board under the provisions of the Local Government Act, and shall be applied by them in discharge or in reduction of the bond debt of the said Commissioners, and if there be any surplus the balance shall be applied in or towards payment of the cost of any permanent improvement works rendered necessary under the Local Government Act within the parishes comprised in the said Local Act.

5.—All arrears of rates and monies due to the Commissioners acting under the said Local Act at the date of the passing of any Act confirming this Order shall be transferred and paid over to the Local Board; and the said Local Board shall have all such powers and remedies for recovering and enforcing payment of any arrears of the said rates and monies remaining unpaid after the passing of the Act confirming this Order as were vested in the said Commissioners under their Local Act.

All debts and liabilities under the said Local Act (save so much of the bond debt as shall be discharged by means of the amount of the valuation of the gasworks as herein-before provided) shall be satisfied by the said Local Board as debts and liabilities under the Local Government Act, 1858, out of the arrears of rates and monies due to the Commissioners, and if they exceed this amount shall be deducted from the amount of the valuation herein-before directed to be made.

6.—All expenses under the unrepealed portions of the Local Act aforesaid shall be borne by the rates leviable in the District, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

7.—The powers conferred by the twenty-eighth section of the Towns Police Clauses Act, 1847, on any constable or any other officer appointed by that Act shall be vested in the police constables of or acting within the Borough of Devizes.

Given under my hand this First day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE to which this Order refers.

The parts of the Local Act 6 Geo. 4. c. 162. referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act except sections 44, 47, 48, 51, 56, 57, 58, 59, 60, 61, 62, 63, 66, 67, 75, 80, 81, 82, 83, 84, 85, 86, 87, 88, 93, and 117. All exemptions from rating conferred by any of the sections in such Act, as well as the provisoes to section 51 of such Act, to cease and determine.

LAYTON-WITH-WARBRICK (BLACKPOOL).

Provisional Order repealing and altering a Local Act in force within the District of the Local Board of Health in and for the District of Layton-with-Warbrick (Blackpool), Lancashire.

WHEREAS the Local Board in and for the District of Layton-with-Warbrick, in the County of Lancaster, in the year One thousand eight hundred and sixty-five obtained an Act of Parliament, intituled Blackpool and Layton-with-Warbrick Improvement Act, 1865, (28 & 29 Vict. cap. 1,) authorizing them to make and maintain a carriage drive and promenade or parade at the western side of the town of Blackpool in the said District by the sea.

And whereas the said Local Board have, in pursuance of the provisions of the 77th section of the Local Government Act, 1858, presented a Petition under their seal, and under the hands of five of the members of the said Board, to me as one of Her Majesty's Principal Secretaries of State, to enable the aforesaid Local Board to abridge certain works set forth and described in such Petition, and referring to the plan accompanying the same, and also to enable the said Local Board to levy rates on completion of each section of the works, and also to have the time for the compulsory purchase of lands for the purposes of the said Improvement Act extended from three years to five years, and on the receipt of such Petition, I, as one of Her Majesty's Principal Secretaries of State, directed inquiry, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for that purpose.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order :

1.—The Local Board for the said District of Layton-with-Warbrick shall be empowered to abridge the works set forth and described in such petition by making the same as near as may be of the following minimum widths; namely,—

—	Footpath.	Carriage drive.	Parade.	Total.
Opposite Miss Brindley's, No. 1, on parliamentary plan.	2	8	4	14 yards.
Opposite south-west corner of the land and premises called College Francais, No. 30 on the said plan.	2	8	4	14 „
Opposite south-west corner of Waterloo Road, No. 50a on said plan.	2	8	4	14 „
Opposite north-west corner of Waterloo Road, No. 50 on said plan.	2	10	6	18 „
Opposite lamp post in front of Eccles land, No. 185 on said plan.	2	10	6	18 „
Opposite Tyrhill House, No. 224 on said plan.	2	10	6	18 „
Opposite south-west corner of York Hotel, No. 242 on said plan.	3	10	6	19 „
Opposite Wellington Hotel, No. 270 on said plan.	3	10	6	19 „

—	Footpath.	Carriage drive.	Parade.	Total.
Opposite Royal Hotel, No. 385 on said plan.	3	12	7	22 yards.
Opposite steps at Lane Ends Hotel, No. 444 on said plan.	3	12	7	22 „
Opposite Clifton Arms Hotel, No. 495 a on said plan.	3	12	7	22 „
Opposite Queen's Square at No. 530a on said plan.	3	12	7	22 „
Between Nos. 530 a and 539 on said plan, the foot path and carriage drive going to the east of Bailey's Hotel and the parade going round to the west thereof.	3	12	3	18 „
Opposite Burnley House at the end of works No. 605 on said plan.	3	12	6	21 „

And the footpath, carriage drive, and parade to be respectively abridged where necessary to work in with the above measurements.

2.—The Local Board for the said District shall be empowered to levy rates according to the said Act on the completion of each section of the works contemplated by the said Act.

3.—The time for the compulsory purchase of lands for the purposes of the said Act shall be extended to five years; and section 10 of the aforesaid Local Act shall be read as if the word "five" were contained therein in lieu of the word "three."

Given under my hand this Thirteenth day of May One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

HARROGATE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Harrogate District, for the Purchase and taking of Lands otherwise than by Agreement.

Whereas the Local Government Act, 1858, has been duly adopted by the Commissioners for the Improvement of High and Low Harrogate, acting under and by virtue of an Act passed in the fourth year of the reign of Her present Majesty (4 Victoria, c. xvi.), intituled "An Act for improving certain parts of "the townships of Bilton with Harrogate and Pannal, called High and Low "Harrogate, in the West Riding of the County of York; for protecting the "mineral springs and regulating the stinted pasture in the said townships:"

And whereas by reason of such adoption the said Local Government Act, 1858, now has the force of law in the district to which the said Improvement Act relates, and the said Commissioners thereby became the Local Board for the said District:

And whereas the Local Board in and for the said District have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of

the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, for the purpose of constructing outfal works for the sewage of their District, and for other purposes set forth and described in such petition, and shown upon the plan accompanying the same.

And whereas the said petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands, who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed inquiry, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed for that purpose.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board for the said District of Harrogate shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Third day of June, in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

The SCHEDULE referred to in the foregoing Order.

The LANDS proposed to be taken for the Purposes set forth in the preceding Order.

The Numbers in Col. 1. refer to those on the Plan accompanying the Local Board's Petition.

No. on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
3	Pasture land -	William Sheepshanks	- - -	Thos. Gascoigne.
4	Pasture land -	John Greenwood -	- - -	Stephen Bradley, Junior.
5	Coppice - -	The Baroness de Bois de Ferriers.	- - -	John Barber.

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transact any such Business, and to exercise any such Authority and Jurisdiction in respect of the same, as by virtue of any Statute or Custom, or by the Rules and Practice of the said Courts or any of them respectively, are now done, transacted, or exercised by a Judge of the said Courts sitting at Chambers, and as shall be specified in any such Rule, except in respect of Matters relating to the Liberty of the Subject:

(2.) For regulating the Attendance of the said Masters at Chambers, the Course of Practice to be there pursued, and the Scale of Costs to be there adopted:

(3.) For fixing, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, the Table of Fees to be taken in respect of Business to be transacted before the said Masters at Chambers, and for abolishing or altering from Time to Time (with the like Sanction) such Table of Fees.

Rules to be read in open Court. Copy to be sent to the Lord Chancellor, and to be published in the London Gazette.

2. Every Rule to be made under this Act shall be read aloud in open Court in each of the said Courts Ten clear Days at least before the Day fixed for such Rule coming into operation, and within One Month after that Day a Copy of every such Rule shall be transmitted by the Lord Chief Justice of *England* to the Lord High Chancellor, and shall also be published in the *London Gazette*.

Rules to be laid before Parliament.

3. Every Rule to be made under this Act shall be laid before both Houses of Parliament within One Month after the making thereof if Parliament be then sitting, or, if Parliament be not then sitting, within One Month after the Commencement of the next Session of Parliament.

Right of Appeal from Orders of the Master.

4. Every Order or Decision made or given under this Act by any Master sitting at Chambers shall be as valid and binding on all Parties concerned as if the same had been made or given before the passing of this Act by a Judge sitting at Chambers: Provided always, that it shall be lawful for any Person affected by any Order or Decision of the Master forthwith, or within such Time as from Time to Time shall be appointed by any Rule or Rules to be made under this Act, and subject to such Conditions as to Costs as may be provided under any such Rule or Rules, to appeal from such Decision to a Judge sitting at Chambers.

Judges Chambers (Despatch of Business).

5. So much of the Eleventh Section of the Statute made and passed in the First Year of Her present Majesty, Chapter Thirty, as provides that no Appointment of any Master shall take place by the Lord Chief Justice or Lord Chief Baron until Ten Days after the Certificate in such Clause mentioned shall have been laid before both Houses of Parliament, shall be and the same is hereby repealed. Repeal of Part of s. 11. of 1 Vict. c. 30.

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CAP. LXIX.

An Act to explain the Operation of an Act passed in the Seventeenth and Eighteenth Years of Her present Majesty, Chapter One hundred and thirteen, intituled *An Act to amend the Law relating to the Administration of deceased Persons.* [25th *July* 1867.]

WHEREAS by an Act passed in the Seventeenth and Eighteenth Year of Her present Majesty it is enacted, among other things, when any Person shall, after the Thirty-first of *December* One thousand eight hundred and fifty-four, die seised of or entitled to any Estate or Interest in any Land or other Hereditaments which shall at the Time of his Death be charged with the Payment of any Sum or Sums of Money by way of Mortgage, and such Person shall not, by his Will or Deed or other Document, have signified any contrary or other Intention, the Heir or Devisee to whom such Land or Hereditaments shall descend or be devised shall not be entitled to have the Mortgage Debt discharged or satisfied out of the Personal Estate or any other Real Estate of such Person, but the Land or Hereditaments so charged shall, as between the different Persons claiming through or

 under

under the deceased Person, be primarily liable to the Payment of all Mortgage Debts with which the same shall be charged, every Part thereof, according to its Value, bearing a proportionate Part of the Mortgage Debts charged on the whole thereof:

And whereas Doubts may exist upon the Construction of the said Act, and it is expedient that such Doubts should for the future be removed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In construing Wills, general Direction for Payment of Debts out of Personalty not to include Mortgage Debts, unless such Intention expressly implied.

1. In the Construction of the Will of any Person who may die after the Thirty-first Day of *December* One thousand eight hundred and sixty-seven, a general Direction that the Debts or that all the Debts of the Testator shall be paid out of his Personal Estate shall not be deemed to be a Declaration of an Intention contrary to or other than the Rule established by the said Act, unless such contrary or other Intention shall be further declared by Words expressly or by necessary Implication referring to all or some of the Testator's Debts or Debt charged by way of Mortgage on any Part of his Real Estate.

Interpretation of Word "Mortgage."

2. In the Construction of the said Act and of this Act, the Word "Mortgage" shall be deemed to extend to any Lien for unpaid Purchase Money upon any Lands or Hereditaments purchased by a Testator.

Extent of Act.

3. This Act shall not extend to *Scotland*.

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Interpretation of Terms.

3. In this Act the Word "Records" shall be taken to mean all Rolls, Records, Writs, Books, Proceedings, Decrees, Bills, Warrants, Accounts, Papers, and Documents whatsoever, of a public Nature, belonging to Her Majesty, or now deposited in any of the Offices or Places of Custody herein-after mentioned. The Expression "Lord Lieutenant" and "Master of the Rolls" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland* and the Master of the Rolls in *Ireland* respectively.

Records to be in the Custody of the Master of the Rolls, Ireland.

4. The Records belonging to Her Majesty herein-after mentioned; that is to say,

All the Records of the Court of Chancery which now are or ought to be deposited in the Rolls Office, and all other Records of the same Court, in whatsoever Custody they are deposited, which shall be of the Age of Twenty Years from the making thereof:

All the Records of the Courts of Queen's Bench, Common Pleas, and Exchequer, Probate and Admiralty Courts, and of the former Court of Prerogative, in whatsoever Custody they are deposited, which shall be of the Age of Twenty Years from the making thereof:

All the Records, Maps, Books, and Documents, of whatsoever Nature or Kind, now deposited in the Custom House Buildings, *Dublin:*

All original Wills of which Probate shall have been granted not later than Twenty Years in all Courts and Offices throughout *Ireland* having Testamentary Jurisdiction:

All the Bermingham Tower Plea, Pipe and other Rolls, and the Parliamentary Records, the Records deposited in the State Paper Department, except those which shall not be Fifty Years of Age from the making thereof, and all other Records (other than those appertaining to the Office of Ulster King of Arms) now deposited in the Record Tower, *Dublin Castle:*

All Records and Documents of any Courts, Commissions, or public Offices which shall have ceased to exist, and are not comprehended under the foregoing Denominations,

shall, from the passing of this Act, be under the Charge and Superintendence of the Master of the Rolls for the Time being, in the Name and on behalf of Her Majesty, Her Heirs and Successors, and shall be removed to the Public Record Office aforesaid in manner herein-after provided: Provided always, that until such Removal the Persons now having the Care of any such Records shall continue to have the Charge of them, subject to such Orders

as

as the Master of the Rolls is herein empowered to give concerning the same.

Lord Lieutenant in Council may order Records in other Offices to be included in this Act.

5. It shall be lawful for the Lord Lieutenant, with the Advice of the Privy Council in *Ireland*, to order that Records belonging to Her Majesty deposited in any Office, Court, Place, or Custody in *Ireland*, other than is herein-before mentioned, shall be thenceforth under the Charge and Superintendence of the Master of the Rolls; and thereupon the Provisions of this Act shall extend to all such Records, and to the Persons then having the Charge or Custody of the same, as fully as if such Office, Court, Place, or Custody had been named and included in this Act.

Public Record Office established.

6. The Commissioners of Public Works in *Ireland* shall, as soon as conveniently may be after the passing of this Act, deliver up to the Master of the Rolls the said Building in the Neighbourhood of the Four Courts in *Dublin;* and thereupon a Public Record Office shall be there established, under the Master of the Rolls, to be styled the "Public Record Office of *Ireland;*" and from and after the Time when the said Public Record Office shall be established, every Office or Place where Public Records, which by the Authority of this Act are placed under the Superintendence of the Master of the Rolls, are or shall be deposited, shall, so long as such Records remain therein, be deemed and taken to be a Branch or Part of the said Public Record Office.

Compensation to present Record Keepers.

7. All Keepers of Records and Persons deriving Emolument from any Office to which the Custody of Records is attached, or from Fees for searching or copying Records by virtue of any Office holden by them or any of them before or at the passing of this Act, whose Office, Profits, or Emoluments shall in anywise be affected by the passing of this Act, may deliver to the Master of the Rolls a Statement in Writing of any Losses they may thereby sustain, or of the Manner in which they may be thereby affected, and the Master of the Rolls shall have Power thereupon to examine the Parties and such other Persons as he may think fit, and shall report such Statements, and the Result of such Examinations, with his Opinion thereon, to the Commissioners of Her Majesty's Treasury, who may award such Compensation to the said Record Keepers and Officers as they may think fit; and the Payment of any such Compensation shall be taken to be an Expense incurred for the Purposes of this Act: Provided always, that account shall be taken of such Compensation in any Salary or Emolument to which any Person to whom the same shall be awarded may become entitled

entitled in virtue of any Appointment in the Public Record Office or elsewhere in Her Majesty's Service: Provided also, that every Person of less than Forty Years Service who shall receive any Compensation under this Act shall, if appointed, take upon himself the Office of Deputy Keeper or any other Office of not less Emolument than he has already received, without Prejudice nevertheless to his Right to Compensation under this Act, if afterwards removed from the said Office for any Cause other than for Misbehaviour.

Deputy Keeper of the Records to be appointed.

8. The Lord Lieutenant, with the Consent of the Commissioners of Her Majesty's Treasury, shall appoint a fit Person, duly qualified by his Knowledge of Records, to be Deputy Keeper of the Records, and may remove the Deputy Keeper of the Records, and appoint another Person in his Room; and the Deputy Keeper of the Records shall act as Chief Record Keeper under the Master of the Rolls, and shall superintend all Persons employed in the Public Record Office, in keeping the Records in the Custody of the Master of the Rolls, and discharge all such other Duties as he may be required, subject to such Directions as he may from Time to Time receive from the Master of the Rolls.

Assistant Keeper, Clerks, Officers, and Servants to be appointed.

9. The Lord Lieutenant, with the Consent of the Commissioners of Her Majesty's Treasury, shall appoint a fit Person, duly qualified by his Knowledge of Records, to be Assistant Deputy Keeper of the Records, and, with the like Consent, all such Clerks, Officers, and Servants as shall be necessary for the Purposes of this Act, and the Persons so appointed shall assist in executing this Act under the Superintendence of the Deputy Keeper of the Records, in such Manner as the Master of the Rolls may direct; and the said Assistant Deputy Keeper of the Records shall be removable by the Master of the Rolls with the Consent of the Lord Lieutenant, and the said Clerks, Officers, and Servants shall be removable by the Master of the Rolls: Provided always, that the said Clerks, Officers, and Servants shall in the first instance be appointed from among such Persons entitled to Compensation under this Act whom the Lord Lieutenant shall judge to be in all respects competent and fit to be appointed to such Offices or Service respectively.

State Papers of Chief Secretary's Office to be removed in the first instance to Record Tower.

10. The State Papers belonging to the Office of the Chief Secretary to the Lord Lieutenant shall from Time to Time, by Order of the Lord Lieutenant, be removed to the Record Tower, *Dublin Castle*, and shall be there deposited, and shall remain in the Care of the present Keeper of the Records in the said Record Tower, as Keeper

Keeper of the State Papers therein, so long as he shall continue in such Office, and thereafter in the Care of such Officer as shall be appointed for that Purpose by the Lord Lieutenant with like Consent as aforesaid, subject to the Charge and Superintendence of the Master of the Rolls; and whenever any such Records shall be of the Age of Fifty Years from the making thereof, the said Keeper shall certify to the Lord Lieutenant and the Master of the Rolls that such Records are proper to be removed to the said Public Record Office.

Records in State Paper Department of the Record Tower to be kept there till arranged, &c.

11. The Records now in the State Paper Department of the Record Tower, *Dublin Castle*, shall continue to be in the Care of the said present Keeper, but subject to the Charge and Superintendence of the Master of the Rolls; and such Records shall be arranged and classified, and Indexes to the same shall be made by the said Keeper with due Diligence and in such Manner as the Master of the Rolls shall direct, and when the Arrangement, Classification, and Indexes of such Records, or of any Part thereof, shall be complete, the said Keeper shall certify to the Lord Lieutenant and the Master of the Rolls that such Records are in a fit Condition to be removed to the said Public Record Office.

Salaries of Officers.

12. There shall be paid to the Deputy Keeper of the Records, to the Assistant Deputy Keeper of the Records, to the present Keeper of the State Papers in the Record Tower, and to the Clerks, Officers, and Servants appointed as herein-before is provided, such annual Salaries as the Lord Lieutenant, with the Consent of the Commissioners of Her Majesty's Treasury, shall appoint, and the said Salaries shall be paid out of such Funds as Parliament shall from Time to Time provide for that Purpose.

Removal of Records to Public Record Office.

13. The Master of the Rolls shall, as soon as conveniently may be, issue Warrants directed to the several Persons having the Care of the said Records, ordering such Persons to allow them to be removed from their present Place of Custody, and deposited in the said Public Record Office; and every such Warrant shall be kept among the Public Records in the Custody of the Master of the Rolls, and shall be a sufficient Warrant for the Removal of such Records as shall be specified therein: Provided always, that nothing herein contained shall authorize the Removal of any of the Records in the State Paper Department of the Record Tower, or in the Chief Secretary's Office, *Dublin Castle*, until the same shall be certified by the Person having the Care thereof to be in a fit

Condition to be removed, and that the Lord Lieutenant shall countersign the Warrant for Removal.

Accumulating Records to be delivered from Time to Time to the Master of the Rolls.

14. After the passing of this Act the Records of the Court of Chancery of *Ireland*, and of every Court or Public Office in *Ireland*, shall be deemed to be in the Custody of the Master of the Rolls under the Authority of this Act, and subject to the Regulations hereby authorized to be made; and the Master of the Rolls shall, by Warrant under his Hand, from Time to Time appoint a fit Person or fit Persons to attend all public Courts and Offices in *Ireland*, and in his Name to receive and take charge of all other Records of which the Charge and Superintendence are hereby vested in him; and the Chief Judge of the Court, or principal Officer of the Office to which the same shall belong, upon Sight of the Warrant of the Person thereby appointed to take charge of the Records then to be delivered from that Court or Office into the Custody of the Master of the Rolls, shall give the necessary Orders to the proper Officer or Officers of his Court or Office for the Delivery thereof; and as soon as the said Records shall have been so delivered to the Person so appointed to receive the same, in pursuance of such Warrant, the same shall be deemed to be in the Custody of the Master of the Rolls, and shall forthwith be removed to and deposited in the Public Record Office, and shall be subject to the Regulations hereby authorized to be made; and the Person receiving any Records shall thereupon deliver a Schedule thereof, and a Receipt for the same under his Hand, to the Judge or Officer from whom the same shall be received, and shall deliver a Copy of such Schedule to the Master of the Rolls, or the Officer by him appointed to receive the same into the Public Record Office: Provided always,

First—That no such Warrant be issued by the Master of the Rolls unless the same shall be first approved of and countersigned by the Lord High Chancellor of *Ireland*:

Secondly—That every such Warrant shall specify and describe the Records intended to be delivered to the Person thereby authorized to receive the same:

Thirdly—That the Master of the Rolls shall not issue any such Warrant for the Removal of any Records belonging to any of Her Majesty's Courts of Common Law, to the Court of Probate, to the Landed Estates Court, or to the Court of Admiralty, unless or until the Records described in such Warrant shall be of the Age of Twenty Years from the making thereof, or, if the same be under that Age, unless the Removal

Removal thereof shall have been requested by the Chief Judge of the Court to which the same shall belong:

Fourthly—That if it shall appear to the Chief Judge of any such Court that it will be conducive to the Ends of Justice, or to the due Performance of the Business of such Court, that any Records belonging thereto should not be delivered into the Custody of the Master of the Rolls at the End of Twenty Years from the making thereof, it shall be lawful for such Chief Judge to certify such his Opinion to the Master of the Rolls, and that the Master of the Rolls, upon receiving such Certificate under the Hand of such Chief Judge, may and shall, from Year to Year, but not for any Time longer than a Year without a new Certificate, abstain from issuing any Warrant for the Removal of the Records mentioned in such Certificate into his Custody:

Fifthly—That the Master of the Rolls shall not issue any such Warrant for the Removal of any State Papers belonging to the Office of the Chief Secretary to the Lord Lieutenant, and kept in his Office or deposited in the State Paper Department in the Record Tower, unless the same shall be of the Age of Fifty Years from the making thereof, and that the Consent of the Lord Lieutenant for such Removal shall have been previously obtained.

Validity of Records after Removal.

15. The Removal of any Record to the said Public Record Office, by Authority of the Master of the Rolls, shall not in any Manner affect the legal Authenticity of such Record; but any such Record deposited in the said Public Record Office, and there kept under the Authority of the Master of the Rolls, shall be taken to be in its legal Place of Deposit, and every such Record removed as aforesaid shall be of the same legal Validity in all Courts and Proceedings in the same Manner as if such Record had not been removed.

Persons having Custody of Deeds, &c. fit to be deposited in Record Office, to deposit them subject to Regulations of Master of the Rolls.

16. It shall be lawful for any Trustee or other Person having the Custody of any Deeds or Documents, which in the Opinion of the Master of the Rolls are fit to be deposited in the said Public Record Office, to deposit the same with the Permission of the Master of the Rolls, and subject to any Regulations to be made by him, in a Repository which may be provided by him for such Purposes in the said Public Record Office; and any Deeds or Documents so deposited shall be deemed to be Public Records in the Custody of the Master of the Rolls.

17. The

Master of the Rolls to make Rules for the Management of the Office and the Admission of Persons using the Records;

17. The Master of the Rolls shall have Power to make Rules for the Management of the said Public Record Office, and the Duties to be performed by the Deputy Keeper, Assistant Deputy Keeper, Clerks, Officers, and Servants thereof, and for cleaning, repairing, preserving, and arranging all the Public Records under his Charge and Superintendence, and for making Calendars, Catalogues, and Indexes to the same, and also for the Admission of such Persons as ought to be admitted to the Use of the Records, Calendars, Catalogues, and Indexes in his Custody, and to suspend, alter, or rescind such Rules, or any of them, and, with the Approval of the Commissioners of Her Majesty's Treasury, to fix the Amount of Fees (if any) which he shall think proper to be paid for the Use thereof respectively, and for making Copies of Records, as herein-after provided, and from Time to Time to vary the same as he shall think fit; and also, with the like Approval, to make Rules for dispensing with the Payment of Fees in such Cases as he shall think fit; and every such Rule shall be laid by the Master of the Rolls before both Houses of Parliament within Six Weeks after it is made, or after the next meeting of Parliament; and all such Fees as shall be paid for the Use of the Records in the Custody of the Master of the Rolls shall be paid quarterly into the Bank of *Ireland* to the Credit of the Exchequer, and carried to the Account of the Consolidated Fund.

and for dispensing with Fees in certain Cases.

Seal of the Record Office to be provided.

18. The Master of the Rolls shall cause to be made a Seal of the said Public Record Office, and shall cause to be sealed or stamped therewith all certified Copies made as herein-after provided of any Records in his Custody.

Power to order the making of authentic Copies of Records, which shall be sealed.

19. The Master of the Rolls or Deputy Keeper of the Records may allow Copies to be made of any Records in the Custody of the Master of the Rolls, at the Request and Costs of any Person desirous of procuring the same; and any Copy so made shall be examined and certified as a true and authentic Copy by the Deputy Keeper of the Records, or by the Assistant Deputy Keeper of the Records, and shall be sealed or stamped with the Seal of the Record Office, without any Proof of the Seal or Stamp or of the Signature or of the official Character of the Person appearing to have signed the same, and delivered to the Party for whose Use it was made.

Such Copies, sealed with the Seal of the Record

20. Every Copy of a Record in the Custody of the Master of the Rolls, certified as aforesaid, and purporting to be sealed or stamped with the Seal of the Public Record Office, shall be received as Evidence

Evidence in any Court of Justice, and before any legal Tribunal, and before either House of Parliament, or any Committee of either House, without any further or other Proof thereof, in every Case in which the original Record could have been received there as Evidence.

Office, to be received in Evidence.

21. It shall be lawful for the Lord Lieutenant, with the Consent of the Commissioners of Her Majesty's Treasury, to cause to be printed from Time to Time such Calendars, Catalogues, and Indexes of Records, and also such Records, in the Custody of the Master of the Rolls, as the Chief Secretary may select, or as the Master of the Rolls shall recommend as fit to be printed.

Calendars, Indexes, and Records may be printed.

22. All Records, Calendars, Catalogues, and Indexes of the said Records which shall be printed as aforesaid under the Direction of the Master of the Rolls shall be published and sold for such reasonable Sums which shall be approved by the Commissioners of Her Majesty's Treasury; and the Proceeds of all such Sales shall be paid into the Bank of *Ireland*, to the Credit of the Exchequer, and carried to the Account of the Consolidated Fund: Provided nevertheless, that so many printed Copies of any such Records, Calendars, Catalogues, and Indexes as the said Commissioners from Time to Time shall direct may be presented gratuitously to Public Offices, Institutions, and Libraries in this or any other Realm or Country.

Printed Copies of Records to be sold.

23. The Commissioners of Her Majesty's Treasury shall have Power to purchase, for the Use of the said Public Record Office, any private Calendars, Catalogues, and Indexes to the Public Records which the Master of the Rolls shall recommend as fit to be purchased; and every Calendar, Catalogue, and Index to any Records in the Custody of the Master of the Rolls which shall be compiled, continued, or copied after the passing of this Act, by any Person belonging to or employed in the said Public Record Office, excepting such printed Copies which shall be sold or given away by the Authority aforesaid, shall belong to Her Majesty, Her Heirs and Successors, for the Use of the said Public Record Office.

Power to purchase private Calendars, Catalogues, and Indexes.

24. The Deputy Keeper of the Records, under the Direction of the Master of the Rolls, shall once in every Year report to the Lord Lieutenant the Proceedings had in the Execution of this Act; and every

Annual Report to be made to Parliament

by Deputy Keeper of Records.

every such Report shall be signed by the Deputy Keeper of the Records and Master of the Rolls, and shall be laid before both Houses of Parliament.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Inclosure (*No.* 2.)

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1867," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Elham - - -	Kent - -	14th March 1867.
Whitson Common - -	Monmouth - -	28th March 1867.
Shimpling and Burston -	Norfolk - -	6th December 1866.
Elsdon (Troughend) - -	Northumberland -	8th May 1867.
Foulk Stapleford - -	Chester - -	7th March 1867.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXII.

An Act for abolishing the Office of Vice-President of the Board of Trade and substituting a Secretary with a Seat in Parliament.

[12th *August* 1867.]

WHEREAS by the Act of the Twenty-second Year of His late Majesty *George* the Third, Chapter Eighty-two, the Office or Establishment commonly called the Board of Trade was utterly suppressed, abolished, and taken away: And whereas by the Act of the Fifty-seventh Year of the same Reign, Chapter Sixty-six, it was enacted that it should be lawful for His Majesty, by an Order or Warrant under His Royal Sign Manual, countersigned by the Lord High Treasurer or by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, for the Time being, to order and direct that the Vice-President of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations for the Time being should have a Salary not exceeding Two thousand Pounds, and that such Office should not by reason of such Salary being annexed thereto be deemed a new Office: 22 G. 3. c. 82. 57 G. 3. c. 66.

And whereas it is expedient that the said Office of Vice-President should upon the next Vacancy thereof be abolished, and that a

Secretary should be appointed capable of holding a Seat in Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to direct Salary to be paid to Parliamentary Secretary to Board of Trade.

1. From and after the next Vacancy of the said Office of Vice-President the said recited Enactment of the Fifty-seventh Year of His late Majesty *George* the Third shall be repealed: And it shall be lawful for the Commissioners of the Treasury to direct that in lieu of the Salary to a Vice-President thereby authorized a Salary not exceeding One thousand five hundred Pounds a Year may be paid to an Officer to be called the Parliamentary Secretary to the Board of Trade; and the said Office of Parliamentary Secretary shall not render the Person holding the same incapable of being elected or of sitting or voting as a Member of Parliament, or avoid his Election if returned, or render him liable to any Penalty for sitting or voting in Parliament.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXIII.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Bray* and *Irvine*. [12th *August* 1867.]

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas the Board of Trade have made certain Provisional Orders relating to a Pier at *Bray* and to the Harbour of *Irvine*: And whereas the *Bray* Order has been amended by Parliament, and that Order as so amended and the *Irvine* Order as made by the Board of Trade are set out in the Schedule to this Act: And whereas it is expedient that the said Orders be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Orders set out in the Schedule to this Act shall be and the same are hereby confirmed, and all the Provisions thereof in Confirmation of Orders in Schedule.

in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1867, (No. 2.)

The

The SCHEDULE of Orders.

1. BRAY.—Construction of a Pier.
2. IRVINE.—Improvement of Harbour.

BRAY.

Bray.

Order for the Construction, Maintenance, and Regulation of a Pier at Bray in the County of Wicklow.

1. The Bray Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order. — The undertakers.

2. For the purposes of the works authorized by this Order the Company may, from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works. — Power to take specified lands by agreement.

3. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order. — Lands Clauses Acts incorporated.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans. — Power to make works.

5. The works authorized by this Order comprise the following:— — Description of pier.

The construction of a Pier, commencing at or near a point on the foreshore, distant seven chains, or thereabouts, eastward from the eastern rail of the level crossing of the Dublin and Wicklow Railway, at the Bray Station of the said Railway, in the township of Bray, parish of Bray, and the county of Wicklow, and extending thence seaward in an easterly direction one thousand feet or thereabouts, with a landing place, and all necessary works, sea-walls, promenades, approaches, and conveniences for the embarking and landing of passengers.

6. In constructing the Works authorized by this Order, the Company may deviate from the lines thereof laid down on the deposited plans to any extent within the limits of deviation shown on those plans, but not so as to authorize the construction of the Pier and Works beyond the limits of the esplanade as at present demised to the Bray Township Commissioners. — Power to deviate within Limits.

7. The Pier shall be constructed and maintained of open timber or iron work, and shall not be at any time solidified to any extent, except with the previous approval in writing of the Board of Trade. — Pier to be open.

8. Vessels or Boats shall not be allowed to be moored alongside of the Pier, or to remain there longer than is necessary for landing or embarking passengers or goods. — Vessels not to be moored at pier.

9. The

Bray.

Power to take rates according to Schedule.

9. The Company may demand and receive in respect of the vessels, persons, and things described in the Schedule hereto any sums not exceeding the Rates in that Schedule specified, provided that vessels or boats shall not ship or unship at the Pier any matters or things other than those described in Sections One, Three, and Four of the said Schedule.

Certain fishing vessels under stress of weather exempt from rates.

10. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from the rates leviable under this Order.

Company may contract with persons for the use of the pier.

11. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms and for such a period not exceeding one year as are agreed on, but so that no preference be given to any person. Such a pass shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under "The Harbours, Docks, and Piers Clauses Act, 1847," (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom House officers exempt from rates.

12. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

13. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

14. The Company shall have the appointment of Meters and Weighers on or in connexion with the Pier.

Parts of Harbours, &c. Act, 1847, excepted.

15. The following Sections of "The Harbour, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely, Sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Steam vessels, diving bells, lighters, &c.

16. The Company may provide such steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

17. Part V. of "The Harbours and Passing Tolls, &c. Act, 1861," shall apply to the Works authorized by this Order.

Restriction on use of pier.

18. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the Pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the Pier for recreation or for the embarking or landing of passengers.

Toll-houses, &c.

19. The Company may erect on the Pier or Promenade toll-houses, waiting, refreshment, and other rooms, and demise the same either wholly or in part for any term or terms of years.

20. "The

Bray.

Repeal of previous Orders relative to Bray.

20. "The Bray Pier and Harbour Order, 1863," confirmed by "The Pier and Harbour Orders Confirmation Act, 1863," and "The Bray Pier and Harbour (Extension) Order, 1864," confirmed by "The Pier and Harbour Orders Confirmation Act, 1864," shall be and the same Orders respectively are hereby from and after the passing of the Act confirming this Order repealed: Provided always, that the repeal of the said Orders shall be held to deprive and take away from the Bray Pier and Harbour Company all powers, rights, privileges, and authorities of every description conferred upon or vested in or reserved to the said Company, whether by the said Orders or by any Local or other Act of Parliament.

Saving Righ (if any) of the Right Hon. the Earl of Meath.

21. This Order shall not operate to take away or abridge such right, title, or interest (if any) as the Right Honourable William Earl of Meath, his heirs or assigns, may have in, to, or over the foreshore within the limits affected by this Order: Provided always, that nothing herein contained shall be held to recognize or confirm any right, title, or claim of the said Earl of Meath to the foreshore aforesaid, it being the intention of this Order that the right and title to such foreshore shall remain in the same state as if this Order had not been made.

Saving of rights under management of Board of Trade.

22. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving for corporations, &c.

23. Except as herein-before expressly provided, this Order shall not operate to take away or abridge any right, privilege, power, jurisdiction, or authority given or reserved to any person or corporation by any Local or other Act of Parliament without the consent in writing of such person under his hand, or of such corporation under their seal.

Short title.

24. This Order may be cited as "The Bray Promenade Pier Order, 1867."

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton - -	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton - - - - - - - - -	0	10
For every vessel of the burden of 150 tons and upwards, per ton -	1	0
All lighters, for each trip, per ton - - - - - - -	0	2
All boats entirely open landing or taking on board goods, each -	0	6

II.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - -	10	0

Bray.

III.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding	0	4
For every bath or sedan chair taken on the pier, for each time any sum not exceeding	0	6
For every perambulator taken on the pier, for each time any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Bray, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

IV.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

Irvine.

IRVINE.

Order for the Management and Improvement of the Harbour of Irvine in the County of Ayr.

Repeal of certain sections of the Local Act relating to the harbour.

1. From and after the second day of September one thousand eight hundred and sixty-seven the sections of the Local Act seventh George the Fourth, chapter one hundred and seven, relating to the harbour of Irvine, in the county of Ayr (in this Order termed "the Local Act"), which are specified in the Schedule (A.) annexed to this Order, shall be and are hereby repealed in whole or in part as therein mentioned: Provided, that sections 88 to 97, both inclusive, of the Local Act are repealed only in so far as the same apply to the harbour of Irvine and the harbour trustees appointed by the Local Act, and that the last-mentioned sections shall remain in force in so far as the same apply to the bridge of Irvine and the trustees appointed for executing the purposes of the Local Act relating to the said bridge and accesses leading thereto.

Appointment and incorporation of trustees.

2. The Magistrates and Town Council of the burgh of Irvine, and the convener of the incorporated trades of Irvine, and their and his successors in office respectively, and such number of owners of vessels registered as belonging to the harbour of Irvine, not exceeding seven, as may annually be elected in the

the manner herein-after prescribed, shall be the trustees for carrying the Local Act, so far as it relates to the harbour and this Order, into execution; and the trustees and their successors shall be and are hereby, for the purposes of the Local Act relating to the harbour and of this Order, incorporated by the name of "The Irvine Harbour Trustees," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, lease, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of the Local Act relating to the harbour and of this Order. *Irvine.*

Interpretation.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated therewith shall have the same respective meanings; and in this Order and in the said Acts as incorporated therewith the following expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such constructions respectively; that is to say, the expression "the Special Act" shall mean this Order; the expression "the harbour" shall mean the harbour of Irvine and the works in and connected therewith; and the expression "the trustees" shall mean the Irvine Harbour trustees incorporated by this Order.

Qualification of shipowners.

4. For the purposes of the election of the said seven or any less number of shipowners to be trustees under the Local Act and this Order, any person who is the owner or part owner to the extent of at least twenty tons of or in any vessel or vessels registered in the books of the Custom House as belonging to the port of Irvine shall be qualified to vote in the election of the said trustees, and to be elected one of the said trustees.

Election of trustees by shipowners.

5. A meeting of shipowners, qualified as aforesaid, shall be held in the burgh of Irvine on the first Monday of August one thousand eight hundred and sixty-seven, and on the first Monday of August in every year thereafter; and at every such meeting the shipowners present may choose one of their number to be chairman of the meeting, and may thereafter elect such number of persons qualified as aforesaid, not exceeding seven, as they think fit, to be trustees under the Local Act and this Order; and a copy of the minutes of the meeting, signed by the chairman, shall be sufficient evidence of the election of the trustees therein stated to be elected.

Notice of meeting for re-election of trustees.

6. Notice of every meeting of shipowners for the election of trustees, stating the time and place and the object of the meeting, shall be inserted by the clerk or treasurer of the trustees in one newspaper published in the county of Ayr fourteen days at the least previous to such meeting.

Proceedings not to be invalidated by non-election of trustees.

7. Any proceeding of the trustees shall not be invalidated or be illegal by the non-election of any trustee, or by the want of qualification of any person acting as a trustee, or by any informality in the election of any trustee.

Harbour and works vested in the trustees.

8. From and after the second day of September one thousand eight hundred and sixty-seven all the estate, right, and interest, and all the powers, of the harbour trustees appointed by the Local Act in or over the harbour of Irvine, and in, over, or in respect of the lands, works, wharves, quays, property, rights, and privileges connected therewith, shall be and are hereby vested in the Irvine harbour trustees incorporated by this Order, subject to the debts, contracts, obligations, and liabilities affecting the same; and the said harbour and works shall

Irvine.

shall thereafter be maintained, repaired, regulated, extended, and improved by the trustees, under the authority and subject to the provisions of this Order and the Acts incorporated therewith, and of the Local Act so far as not repealed by this Order; and the trustees shall have and may exercise all the powers conferred by the Local Act on the harbour trustees thereby appointed, so far as not repealed by this Order; and the expression "harbour trustees" in the Local Act, and expressions therein referring to the said harbour trustees, shall mean the Irvine harbour trustees incorporated by this Order.

Provision for payment of debts.

9. Any money borrowed on the credit or security of the harbour rates and duties leviable under the authority of the Local Act, and all other debts and money due or payable by the harbour trustees thereby appointed at the second day of September one thousand eight hundred and sixty-seven, shall be payable and paid by the trustees; and all harbour rates and duties, and arrears of harbour rates and duties, and all other debts and money belonging, due, or payable to the said harbour trustees at the same date, shall be payable to the trustees, and shall be recoverable by them in the same way as such rates and duties and arrears of rates and duties and other debts and money would or might have been payable to or recoverable by the said harbour trustees if this Order had not been made.

Conveyances and contracts to remain in force.

10. All conveyances, contracts, and other deeds granted by, to, or in favour of the harbour trustees appointed by the Local Act shall be and remain as valid and effectual as if this Order had not been made, and may be enforced by and against the trustees in the same way and to the same extent and effect as such conveyances, contracts, and other deeds might or could have been enforced by or against the said harbour trustees if this Order had not been made.

Trustees to be the undertakers.

11. The trustees shall be the undertakers of the works authorized by this Order.

Limits of harbour.

12. The limits within which the trustees shall have authority, and which shall be deemed the limits to which the provisions of the Local Act relating to the harbour and this Order extend, shall comprise the harbour of Irvine and the works in and connected therewith, and the beds or channels of the rivers Irvine and Garnock in and through and from the harbour to the bay of Irvine, and the works by this Act authorized, and the lands, foreshore, and sea on which the same are or may be situate.

Incorporation of Commissioners Clauses Act.

13. "The Commissioners Clauses Act, 1847," so far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order, and shall, so far as the nature and circumstances of the case will admit, apply to the trustees collectively and severally, subject to the following provisions:—

(1.) Sections 6 and 7, and sections 17 to 35, both inclusive, of the said Act, shall not be incorporated with this Order:

(2.) With reference to sections 36 and 40 of the said Act, the first meeting of the trustees shall be held in the council room of the burgh of Irvine on the third Tuesday of September One thousand eight hundred and sixty-seven at twelve o'clock noon, and an annual meeting of the trustees shall be held on the third Tuesday of

Irvine.

of September in every year thereafter at the place and hour above mentioned:

(3.) With reference to section 37 of the said Act, the provost of the burgh of Irvine for the time being shall ex officio be the chairman of the trustees:

(4.) Sections 54 and 84 of the said Act shall not be incorporated with this Order:

(5.) With reference to section 90 of the said Act it shall not be obligatory on the trustees to cause the statement and account therein mentioned to be printed:

(6.) With reference to section 92 of the said Act, the sheriff of the county of Ayr, or the sheriff substitute at Kilmarnock, shall, from time to time, on the application of the trustees, appoint a properly qualified person not being one of the trustees or holding office under them, to be the permanent auditor of the accounts of the trustees; and if the office of such auditor become vacant by death or any other cause, the said sheriff or sheriff substitute shall from time to time, on the application of the trustees, appoint a person properly qualified as aforesaid to supply the vacancy:

(7.) The word "Commissioners" in the said Act, as incorporated with this Order, shall mean the Irvine harbour trustees incorporated by this Order.

Power to take lands by agreement.

14. For the purposes of the works authorized by this Order, the trustees may from time to time, by agreement, enter on, take, and use such lands in and around the harbour as may be required for the said works, not exceeding in the whole twenty acres.

Incorporation of Lands Clauses Acts.

15. "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to execute works.

16. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plan as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the trustees may, on the lands vested in or purchased or acquired by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the works shown on the deposited plan and sections and hereinafter described.

Description of works.

17. The works authorized by this Order comprise the following:—

(1.) A breakwater on the north side of the river Irvine, commencing at or near high-water mark, and extending seven hundred and seventy yards or thereabouts in a south-westerly direction into the bay of Irvine; and

(2.) A breakwater on the south side of the river Irvine, commencing at or near the outer end of the existing breakwater, and extending six hundred and sixteen yards or thereabouts in a westerly direction into the bay of Irvine.

18. The

Irvine.

Further powers as to works.

18. The trustees may also make, execute, and maintain the following works authorized by this Order:

(1.) All embankments, piers, jetties, piles, wharves, loading berths, landing places, roads, approaches, and other works and conveniences in and connected with the harbour and the breakwaters before described; and

(2.) The sufficient and effectual dredging, scouring, cleansing, and removing of any banks of sand or mud within or adjoining the harbour or works, or in the river Irvine or the river Garnock, or in the approaches to the harbour.

Power to levy rates.

19. The trustees may demand and receive in respect of vessels, animals, fish, and goods described in the Schedule (B.) annexed to this Order, any sums not exceeding the several rates specified in the said Schedule.

Certain fishing vessels under stress of weather exempt from rates.

20. Fishing vessels belonging to countries with which, for the time being, treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Customs officers.

21. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the harbour and the works of the trustees, by land and with their vessels, and otherwise, without payment.

Rates may be leased.

22. The trustees may from time to time lease the rates authorized by this Order for any period not exceeding ten years, and for such rent or consideration, and on such terms and conditions, as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering the said rates as the trustees have or might exercise under "The Harbours, Docks, and Piers Clauses Act, 1847," and this Order.

Borrowing powers.

23. The trustees may from time to time borrow on mortgage such money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of ten thousand pounds, on the security of the harbour and existing works, and of the works authorized by this Order, and of the lands and property connected therewith respectively, and of the rates authorized by this Order, and any other property of the trustees; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed, if required, for the purposes of this Order, and so toties quoties.

Trustees may borrow on cash account.

24. The trustees may accept and take from any bank or banking company in Scotland credit on a cash account to be opened and kept with such bank or banking company in the name of the trustees, according to the usage of bankers in Scotland, to the extent of the sum which the trustees are by this Order authorized to borrow, or any part thereof, and may assign the rates authorized by this Order in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account, with interest thereon.

Money to be applied for the purposes of Order.

25. Every part of the money borrowed by the trustees under this Order shall be applied only for the purposes authorized by this Order.

26. It

Irvine.

Power to Town Council of Irvine to borrow money on security of the burgh property.

26. It shall be lawful for the Magistrates and Council of the burgh of Irvine, and they are hereby authorized, if they think fit, from time to time to borrow any sum or sums of money not exceeding ten thousand pounds on the security and credit of the common good, or corporate property, funds, or revenue of the said burgh, for the purpose of defraying or contributing to defray the expense of the works at and in connexion with the harbour authorized by the Local Act and this Order, and to grant bonds and dispositions in security and all other deeds necessary for that purpose.

Money borrowed by Town Council to be paid to the trustees.

27. Every part of the money to be borrowed by the said Magistrates and Council under the authority of this Order shall be advanced and lent to the trustees, and shall be applied by them only for the purposes of the works authorized by this Order; and the trustees may assign the rates authorized by this Order to the said Magistrates and Council in security of the payment of the principal money so advanced and lent and the interest thereon, and may grant mortgages or assignations in security and all other deeds necessary for that purpose.

Limitation of borrowing powers of trustees and Town Council.

28. Any money advanced and lent by the said Magistrates and Council to the trustees shall be held as part of the said sum of ten thousand pounds which the trustees are by this Order authorized to borrow; and the whole sums borrowed by the trustees on mortgage or on cash account, and by the said Magistrates and Council, or either of them, under the authority of this Order, shall never when taken together exceed the said sum of ten thousand pounds.

Form of assignations in security and transfers.

29. The mortgages or assignations in security to be granted by the trustees for money borrowed under the authority of this Order, and all transfers thereof, may be in the forms contained in the Schedule (B.) annexed to "The Burgh Harbours (Scotland) Act, 1853," or to the like effect.

Application of rates and income.

30. The trustees shall apply all money received by them from the rates authorized by this Order, and all other income coming into their hands in respect of the harbour and existing works, and of the works authorized by this Order, or from lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order;

(2.) In paying year by year the interest accruing on money borrowed under the authority of the Local Act;

(3.) In paying the expense of the maintenance, repair, management, and regulation of the harbour and works connected therewith;

(4.) In paying year by year the interest accruing on money borrowed under this Order;

(5.) In paying the cost of the works authorized by this Order, and of purchasing and acquiring lands and property for the purposes thereof, and generally in paying any expense incurred in improving the harbour;

(6.) The surplus revenue of the harbour (if any), after providing for the purposes aforesaid, shall be applied in creating a sinking fund for the repayment of the principal monies borrowed by the trustees or by the said Magistrates and Council.

31. The

Irvine.

Trustees may provide dredges, engines, &c.

31. The trustees may from time to time purchase, lease, provide, or hire such dredges, engines, tugs, vessels, lighters, tools, plant, or other materials as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit, or may sell or dispose of the same, and the money thereby realized shall be applied for carrying into effect the purposes of this Order, or some of them.

Pilotage, lights, buoys, and beacons.

32. The trustees shall be a pilotage authority and local authority within the meaning of "The Merchant Shipping Act, 1854," and the Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Meters and weighers.

33. The trustees shall have the appointment of meters and weighers within the limits of the harbour.

Lands for extraordinary purposes.

34. The trustees shall not acquire for extraordinary purposes lands exceeding in extent in the whole three acres.

Exception of parts of Harbours Clauses Act.

35. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order.

Commencement of Order.

36. The provisions contained in clauses four, five, and six of this Order, with respect to the election of trustees by shipowners, shall take effect and be in force from and after the passing of the Act confirming this Order; and all the other clauses and provisions of this Order shall take effect and be in force from and after the second day of September one thousand eight hundred and sixty-seven.

Saving Clauses.

37. Nothing in this Order contained shall prejudice any security given for money borrowed under the Local Act and remaining due at the time of the passing of the Act confirming this Order, and every security so given shall have priority over securities given for money borrowed under this Order.

Saving of rights under Crown Lands Act, 1866.

38. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short title.

39. This Order may be cited as "The Irvine Harbour Improvement Order, 1867."

SCHE-

SCHEDULES to which the foregoing Order refers. *Irvine.*

SCHEDULE (A.)

Title of Local Act.	Sections repealed in whole or in part.
An Act for widening and improving the bridge of Irvine, for making streets communicating thereto, and for more effectually enlarging, deepening, improving, and maintaining the harbour of Irvine, in the county of Ayr. —7 George IV., chapter cvii.	Sections 46, 47, 48, 49, 51 to 80, both inclusive, 86, and 87, wholly repealed. Sections 88 to 97, both inclusive, repealed in so far as the same apply to the harbour of Irvine and the harbour trustees appointed by the Local Act.

SCHEDULE (B.)

I.—Rates on Vessels entering or using the Harbour.

	Per Register Ton. s.	d.
For every vessel under the burden of 15 tons	0	4
For every vessel of the burden of 15 tons, and under 50 tons	0	6
For every vessel of the burden of 50 tons, and under 100 tons	0	8
For every vessel of the burden of 100 tons, and under 150 tons	0	10
For every vessel of the burden of 150 tons and upwards	1	0
All lighters from any vessel in the roads shall be exempted from rates; but if the vessel do not enter the harbour, every lighter shall pay for each trip	0	2
All boats, entirely open, landing or taking on board goods, or dried or salted fish, one shilling each.		
All drave or large boats entering the harbour or precincts thereof with fresh fish, fourpence each.		

II.—Rates on Animals, Fish, and Goods shipped, unshipped, or transshipped within the Harbour.

Albertite or Bitumen, per ton	1	6
Ale, per hogshead	0	6
Do., bottled, per barrel bulk	0	3
Bark, per ton	1	0
Beef or pork, per ton	1	4
Do., per barrel	0	2
Blubber, per tun of 252 gallons	1	0
Bone dust, per ton	2	0

Pier and Harbour Orders Confirmation (No. 2.)

Irvine.

	s.	d.
Bones of cattle, per ton	0	6
Bottles, per gross	0	2
Bricks, per 1,000	0	8
Casks:—		
Empty, not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, each	0	3
Cows and oxen, each	0	2
Calves, each	0	0½
Horses, each	0	3
Pigs, each	0	0½
Sheep, per score	0	6
Lambs, per score	0	3
Chalk, per ton	0	8
Chimney cans, per 100	1	4
Clay, fire, manufactured, per ton	0	6
Do., common, per ton	0	2
Cloth, haberdashery, &c. per barrel bulk	0	2
Coaches:—		
Chaises and other four-wheeled carriages, each	0	8
Gigs, carts, and other two-wheeled carriages, each	0	6
Coal—Scotch, English, smithy, or culm, per ton	0	4
Coke, per ton	0	4
Copper, per ton	1	4
Coprolites, per ton	2	0
Corks, per barrel bulk	0	3
Corn:—		
Wheat and malt, per quarter	0	3
Barley, oats, rye, beans, pease, tares, buckwheat, and Indian corn, per quarter	0	2
Crystal, per barrel bulk	0	2
Dissolved bones and other artificial manures, per ton	2	0
Dogs (sporting only), each	0	2
Drugs, per barrel bulk	0	4
Earthenware, per crate	0	8
Eggs, per barrel bulk	0	2
Fish:—		
Dried and salted, per ton	2	6
Haddocks, cod, salmon, and all fresh fish not enumerated, per barrel bulk	0	2
Flax, per ton	2	6
Flour, per sack	0	3
Ditto, per barrel	0	1½
Glass, per barrel bulk	0	3
Groceries: Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	3
Guano, per ton	0	8
Gunpowder, per barrel	0	3
Hardware, per barrel bulk	0	3
Hares and rabbits, per dozen	0	2
Any less quantity	0	1
Hay, per ton	1	0
Hemp, per ton	2	6

Irvine.

	s.	d.
Herrings:—		
Fresh, per cran	0	1
Cured, per barrel	0	3
Hides:—		
Ox, cow, or horse, salted or dried, per ton	3	4
Calf skins, per 120	0	10
Sheep skins, per 120	0	10
Lamb skins, per 120	0	5
Hoops of wood, per 100	0	1
Hops, per barrel bulk	0	3
Household furniture (new), per barrel bulk	0	3
Ditto, belonging to parties changing their residence only, per 10 barrels bulk	0	6
Husbandry utensils, per ton	1	4
Ditto, per barrel bulk	0	3
Iron:—		
Bar, bolt, and rod, per ton	1	4
Pig, or old, per ton	0	8
Pots and all hollow cast-iron goods, per ton	1	4
Ditto, commonly called ironmongery, per ton	1	4
Kelp, per ton	1	0
Lead: All kinds, per ton	1	4
Leather: Tanned and dressed, per ton	1	8
Lime, per chaldron of 16 bolls	1	6
Limestone, per ton	0	3
Loam or moulding sand, per ton	0	3
Machinery, per ton	1	4
Ditto, per barrel bulk	0	3
Manure: Street, per ton	0	2
Marl, per ton	0	8
Meal, per 140 lbs.	0	2
Musical instruments, per barrel bulk	0	3
Oils, per tun	1	0
Ores: Copper, iron, lead, and others, per ton	1	0
Passengers luggage:—		
Not exceeding one barrel bulk, free.		
All above one barrel bulk, per barrel bulk	0	3
Peats, per ton	0	3
Pitch, per barrel	0	3
Porter, per hogshead	0	4
Ditto, bottled, per barrel bulk	0	2
Potatoes, per ton	1	0
Poultry, including pigeons, game, &c., per dozen	0	1
Any less quantity	0	0½
Rags:—		
Linen, per ton	1	8
Other rags, old rope, and the like, per ton	0	10
Rape, cotton, or linseed cakes, per ton	2	0

Pier and Harbour Orders Confirmation (No. 2.)

Irvine.

	s.	d.
Salt, per ton	0	10
Seeds:—		
Clover, per barrel bulk	0	3
Flax and rape, per barrel bulk	0	3
Flax in bulk, per barrel bulk	0	3
Garden seeds, per barrel bulk	0	3
Hemp and canary, per barrel bulk	0	3
Rye grass, per 8 bushels	0	3
Skins: Seal, per 120	0	8
Slates:—		
Under size, per 1,000	0	8
Sizeable, per 1,000	1	0
Over size, per 1,000	1	6
Soda, per barrel bulk	0	3
Spirits:—		
Foreign or British, imported, per gallon	0	1
Ditto, exported, per gallon	0	0½
Stones:—		
Rubble, per ton of 16 cubic feet	0	2
Hewn ashlar freestone, per ton of 16 cubic feet	0	4
Rough ashlar freestone, per ton of 16 cubic feet	0	3
Pavement, not exceeding 3 inches thick, per 70 feet superficial	0	4
Ditto, above three inches thick, per 16 cubic feet	0	4
Scythe stones, per score	0	2
Mill stones, each	2	6
Burr stones, per ton	5	0
Steel, per ton	2	0
Sugar, per ton	2	0
Tallow, per ton	2	0
Tar, per barrel	0	3
Tea, per chest	0	4
Tiles, roofing, per 1,000	0	9
Tiles or pipes for draining, per 1,000	0	8
Tin of all kinds, per ton	2	0
Tobacco, per ton	2	6
Treenails, under 2 feet in length, per 1,000	1	6
Ditto, exceeding 2 feet in length, per 1,000	2	6
Turnips, per ton	1	0
Turpentine, per hogshead	0	8
Vegetables, per cart load	0	2
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	3
Whalebone, per ton	2	6
Whitening, per ton	1	0
Wine, per hogshead	1	6
Ditto, bottled, per barrel bulk	0	6
Wood:—		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
Oak or wainscot, per load of 50 feet	1	0
Firewood, per fathom of 216 cubic feet	1	6
Laths or lathwood, per fathom of 216 cubic feet	1	6
Handspokes, per 120	3	0

Irvine.

	s.	d.
Wood—*continued.*		
Oars, per 120	5	0
Spars, under 22 feet in length, and above 2½ and under 4 inches in diameter, per 120	4	0
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	6	6
Spars, of all lengths, above 4 and under 6 inches in diameter, per 120	12	0
Barrel staves, per 120	3	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	2	6
Wedges, per 1,000	2	0
Pipe staves, per 120	1	2
Hogshead staves, per 120	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	1	4
Coalpit props, common, per dozen	0	1½
Ditto, crowns, per dozen	0	2
Wool, per cwt.	0	6
Yarn, per ton	1	4
Zinc, per ton	1	4

All other goods not particularly enumerated in the above table.

Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates to be charged.

Five cubic feet, not exceeding two and a half hundred weight, to be rated as a barrel bulk, but when the weight of five cubic feet is greater than two and a half hundred weight, then two and a half hundred weight to be rated as a barrel bulk.

III.—Rates for the Use of Cranes, Hurries, Weighing Machines, and Sheds.

1st, Cranes.

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton and not exceeding two tons	0	4
Exceeding two tons and not exceeding three tons	0	6
Exceeding three tons and not exceeding four tons	0	8
Exceeding four tons and not exceeding five tons	0	10
Exceeding five tons and not exceeding six tons	1	0
Exceeding six tons and not exceeding seven tons	1	2
Exceeding seven tons and not exceeding eight tons	1	4
Exceeding eight tons and not exceeding nine tons	1	8
Exceeding nine tons and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2nd, Hurries.

All goods, per ton	0	2

3rd, Weighing Machines.

For goods weighed, one penny for each ton or part of a ton.

Irvine.

4th, Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of twenty hundredweight, which shall remain in the sheds or on the quays of the harbour for a longer time than forty-eight hours, the sum of threepence; and the sum of one penny halfpenny per ton for each day during which such goods shall remain after the first forty-eight hours.

IV.—Rates for Pilotage.

For all vessels entering or leaving the harbour, per registered ton, twopence.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXIV.

An Act to extend the "Trades Union Commission Act, 1867." [12th *August* 1867.]

WHEREAS it is expedient to extend The Trades Union Commission Act, 1867: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to extend Provisions of 30 Vict. c. 8. to other Places than Sheffield.

1. One of Her Majesty's Principal Secretaries of State, upon the Application in Writing of the Chairman of the Commissioners acting under the Commission relating to Trades Unions, mentioned in the said Act, may from Time to Time, by Order under his Hand, direct that the said Act shall extend to any Place in respect of which such Application has been made, and the said Act shall be deemed to extend to such Place accordingly; and the said Commissioners, or such One or more of them as they may appoint, or any Person appointed in pursuance of the said Act, may conduct at any such Place as aforesaid an Inquiry of the same Description as is now by Law authorized in the Case of *Sheffield*, and in relation to any such Place the said Act shall be construed as if throughout the same the Name of such Place were substituted for *Sheffield*.

2. No

Trades Union Commission Act (1867) *Extension.*

Indemnity to Persons publishing true Account of Evidence taken before Commissioners.

2. No Person shall be liable to any Suit, Action, Indictment, or legal Proceeding whatever by reason of his having published previously to the passing of this Act, or of his hereafter publishing, a true Account of any Evidence taken or to be taken by the said Commissioners acting under the Commission relating to Trades Unions, or of any Evidence taken or to be taken by any Persons appointed previously to the passing of this Act, or who may hereafter be appointed to conduct an Inquiry under the said Trades Union Commission Act or this Act; and any Copy purporting to be an Account of any Evidence taken by the said Commissioners or the Persons appointed or to be appointed as aforesaid, and printed by the Queen's Printers, shall, for the Purposes of this Act, be deemed to be true Account of the Evidence contained in such Copy.

Definition of "Examiner."

3. The Expression "Examiner" in the said Trades Union Commission Act shall mean any Person other than One of the said Commissioners appointed to conduct an Inquiry under the said Act or this Act.

Short Title.

4. This Act may be cited for all Purposes as "The Trades Union Commission Act Extension Act, 1867."

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Printers to the Queen's most Excellent Majesty. 1867.

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VICTORIÆ REGINÆ.

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without reference to their Religious Belief, shall be eligible to hold the Office of Lord Chancellor of Ireland.

or Lord Keeper or Lord Commissioner of the Great Seal in *Ireland*, without reference to his Religious Belief, on taking and subscribing the Oath herein-after substituted for the Oath now required to be taken instead of the Oaths of Allegiance, Abjuration, and Supremacy, and also any other Oath or Declaration of Office not involving any Religious Test which now is or from Time to Time may be required to be taken by the Holder of the said Office.

When such Office shall be held by a Person not a Member of the Established Church, how Rights of Presentation to Benefices shall be exercised.

2. In case the said Office shall be held by any Person not being a Member of the United Church of *England* and *Ireland*, any Right of Presentation to any Ecclesiastical Benefice belonging to such Office shall, while the Office shall be so held as aforesaid, devolve upon and be exercised by such Person as Her Majesty by Sign Manual may appoint to exercise the same, and in default of such Appointment the Right of such Presentation shall devolve upon and be exercised by the Archbishop of *Armagh*.

When the Chancellorship shall be held by a Person not a Member of the Established Church, the Jurisdiction of nominating Delegates to hear Appeals from Ecclesiastical Courts shall be exercised by such other of the Judges as the Crown shall appoint, &c.

3. In case the Office of Lord Chancellor of *Ireland*, or Lord Keeper or Lord Commissioner or One of the Lords Commissioners of the Great Seal in *Ireland*, shall at any Time after the passing of this Act be held by a Person not a Member of the United Church of *England* and *Ireland*, the Jurisdiction of nominating Delegates to hear Appeals from the Ecclesiastical Courts in *Ireland*, and of hearing Applications for and issuing Commissions of Review to reconsider the Decisions of such Courts of Delegates, shall, while the Office shall be so held as aforesaid, be exercised by such One of the Chief Judges of the Courts of Chancery or Common Law in *Ireland*, being a Member of the United Church of *England* and *Ireland*, as Her Majesty or Her Successors shall by Sign Manual from Time to Time appoint to exercise the same; and such Chief Judge shall also, while the Office shall be so held as aforesaid, act in place of the Lord Chancellor as Trustee or Member of any Charity or of any Board or Institution of which the Lord Chancellor is now an *ex officio* Trustee or Member, and which has for its Object the exclusive Benefit of, or the Administration of Endowments or Funds for the exclusive Benefit of, Members of the United Church of *England* and *Ireland*, or of which it is now required by Law that such Trustee or Member shall belong to the United Church of *England* and *Ireland*.

Every Judicial or Corporate Officer may attend his Place of Worship in his Robes.

4. Every Person holding any Judicial or Civil or Corporate Office may attend and be present at any Place of public Meeting for Religious Worship in *England*, *Ireland*, or *Scotland* in the Robe, Gown, or other peculiar Habit of his Office, or with the Ensign

Ensign or Insignia of or belonging to the same, without incurring any Forfeiture of Office or Penalty for such Attendance.

5. In all Cases in which any Oath which has been substituted for the Oaths of Allegiance, Supremacy, and Abjuration is now required to be taken, or taken and subscribed, as a Qualification for the Exercise or Enjoyment of any Office, Franchise, or Civil Right, the following Oath shall be taken, or taken and subscribed, as the Case may be, in lieu and instead of such substituted Oath: The Oath herein named shall be substituted in all Cases for the Oaths now required to be taken by Officeholders and others in lieu of the Oaths of Allegiance, Supremacy, and Abjuration.

'I *A.B.* do swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria; and I do faithfully promise to maintain and support the Succession to the Crown, as the same stands limited and settled by virtue of the Act passed in the Reign of King William the Third, intituled "An Act for "the further Limitation of the Crown, and better securing the "Rights and Liberties of the Subject," and of the subsequent Acts of Union with Scotland and Ireland. So help me GOD.'

6. Where in the Oath hereby appointed the Name of Her present Majesty is expressed, the Name of the Sovereign of this Kingdom for the Time being, by virtue of the Act "for the further Limitation "of the Crown, and better securing the Rights and Liberties of the "Subject," shall be substituted from Time to Time, with proper Words of Reference thereto. The Name of the Sovereign for the Time being shall be used in the Oath.

7. Every Person of the Persuasion of the People called Quakers, and every other Person for the Time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, may, instead of taking and subscribing the Oath hereby appointed, make and subscribe a solemn Affirmation in the Form of the Oath hereby appointed, substituting the Words "solemnly, sincerely, and truly "declare and affirm," for the Word "swear," and omitting the Words "So help me God;" and the making and subscribing such Affirmation with such Substitution as aforesaid by a Person hereby authorized to make and subscribe the same shall have the same Effect as the making and subscribing by other Persons of the Oath hereby appointed. Provision in favour of Quakers, &c.

8. This Act may be cited for all Purposes as "The Office and Oath Act, 1867." Short Title.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

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VICTORIÆ REGINÆ.

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of the said Cathedral or House: And whereas the said Ordinances have been found to be in various respects defective and insufficient, and Questions having arisen in consequence thereof between the Dean, the Canons, and the Senior Students of the said House, it was agreed between the said Dean, Canons, and Senior Students that it should be referred to the Most Reverend the Lord Archbishop of *Canterbury*, the Right Honourable Sir *John Taylor Coleridge*, Sir *William Page Wood*, One of the Vice Chancellors of the High Court of Chancery, Sir *Roundell Palmer* Knight, and *Edward Turner Boyd Twisleton* Esquire (commonly called the Honourable *Edward Turner Boyd Twisleton*), (the said Archbishop of *Canterbury*, Sir *John Taylor Coleridge*, and *Edward Turner Boyd Twisleton* being Three of the Commissioners by whom the said Ordinances were made,) to take into consideration all Questions relating to the Government of the said House, the Management and Application of its Revenues, and the Elections to Studentships therein, and to frame such a Scheme for the future Government of the House as they might deem most likely to conduce to its Welfare and Usefulness: And whereas the said Archbishop of *Canterbury*, Sir *John Taylor Coleridge*, Sir *William Page Wood*, Sir *Roundell Palmer*, and *Edward Turner Boyd Twisleton*, having considered the Matters referred to them, have recommended certain Alterations in and Additions to the said Ordinances made in the Year One thousand eight hundred and fifty-eight as aforesaid, which cannot be made without the Authority of Parliament, and have expressed their Opinion that such Alterations and Additions may most conveniently be made by substituting for the said Ordinances the amended Ordinance or Body of Regulations in the Schedule to this Act set forth, and have advised that Application should be made to Parliament for that Purpose: And whereas it is expedient that the aforesaid Recommendation should be carried into effect: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Ordinances dated 9th Jan. 1858 and 16th April 1858 repealed.

1. The Two Ordinances made as aforesaid by the Commissioners under the herein-before recited Acts, bearing Date respectively the Ninth Day of *January* One thousand eight hundred and fifty-eight and the Sixteenth Day of *April* One thousand eight hundred and fifty-eight, in relation to the Cathedral or House of *Christ Church* in *Oxford*, shall be and are hereby repealed, and shall from and after the Eleventh Day of *October* One thousand eight hundred and sixty-seven cease to have Force as Statutes of the said Cathedral or House: Provided always, that nothing in this Act or in the Ordi-

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nance herein-after confirmed shall take away, alter, or prejudice any existing Right, Distinction, or Privilege acquired under the said repealed Ordinances or either of them, or under any lawful Practice or Usage of the said House, before the passing of this Act, by any Person other than the Dean, Canons, and Senior Students respectively of the said House, or any Right of the said Dean, Canons, and Senior Students or any of them to any Payments or other Matter or Thing which may have become due previously to the passing of this Act.

After 11th October 1867 Ordinance in Schedule, except Section 28, to take effect.

2. The Ordinance set forth in the Schedule to this Act, except so much thereof as is contained in the Section thereof numbered Twenty-eight, and entitled "Certain Distinctions abolished," shall from and after the Eleventh Day of *October* One thousand eight hundred and sixty-seven take effect and have force in lieu of the said repealed Ordinances; and the Regulations therein contained (except as aforesaid) shall thenceforth (subject to the Provisions of this Act and to the Power of Alteration by the same Regulations reserved to Her Majesty in Council) be Statutes of the said House: Provided always, that the Governing Body of the said House, as constituted by the said Ordinance, shall have Power from Time to Time to make such Orders concerning any of the Matters contained in the said excepted Part of the said Ordinance as to them shall seem fit; provided also, that in the Interpretation of the said Ordinance the Payments thereby authorized to be made to the *Westminster* Junior Students shall in all Cases be deemed and taken to be exclusive of Rooms.

Effect of Instruments conveying Real or Personal Property.

3. Any Instrument relating to any Real or Personal Property, the Disposal and Management whereof is by the said Ordinance vested in the Governing Body thereby constituted, when duly sealed with the Corporate Seal of the said House, in the said Ordinance described as the "College Seal," under the Direction of the said Governing Body, shall have the same Effect at Law and in Equity as any like Instrument duly sealed with the Corporate Seal of the Dean and Chapter of the said Cathedral or House under the Direction of the said Dean and Chapter would have had before the passing of this Act.

Short Title.

4. This Act may be cited for all Purposes as "The *Christ Church, Oxford*, Act, 1867."

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SCHEDULE.

THE ORDINANCE OR STATUTES ABOVE REFERRED TO.

I.—The House or Collegiate Foundation.

The House or Collegiate Foundation of the Cathedral Church of Christ, in Oxford, shall include the Dean, Six Canons, Twenty-eight Senior Students, and Fifty-two Junior Students, beside Chaplains and other Ministers and Servants of the said Cathedral Church.

The Six Canonries shall be those annexed respectively to the Regius Professorships of Divinity, Hebrew, Ecclesiastical History and Pastoral Theology, the Lady Margaret's Professorship of Divinity, and the Archdeaconry of Oxford.

It shall be lawful for the Governing Body herein-after mentioned, if and when they shall have at their disposal funds available for the purpose, to increase the number of Senior Studentships above Twenty-eight, and likewise to increase the number of Junior Studentships above Fifty-two by adding to the number of those which are herein-after called Open Junior Studentships. Provided that if, in the exercise of this power, Senior Studentships shall be created, not more than Twelve such Senior Studentships shall be added to the number of Twenty-eight, until Nine new Junior Studentships shall also have been created; and, if Junior Studentships shall be created, not more than Nine such Junior Studentships shall be added to the number of Fifty-two, until Twelve new Senior Studentships shall also have been created.

The number of Chaplains may, if the Dean and Canons shall think fit, be diminished by them as herein-after provided.

The Servitorships existing within the House shall be maintained, either under that designation or under such new designation as the Governing Body herein-after mentioned may determine; and the Exhibitions of the foundation of Archbishop Boulter for Servitors, Mr. Pauncefort, Dr. Gardiner, Bishop Frampton, Dr. Cotton, and Mrs. Paul may, in the latter case, be applied to the support of the persons bearing such altered designation.

II.—The Governing Body: its Constitution and General Powers.

The Government of the Foundation, and the disposal and management of its Possessions and Revenues, including all Estates now vested in the Dean and Chapter, or in the Dean and Canons, or in the Dean and certain of the Canons, upon any Trust for purposes connected with the House, shall be vested in the Dean, Canons, and Senior Students; and all Powers and Authorities whatsoever heretofore exercised by the Dean and Canons alone, or by

by the Dean and Canons conjointly with any other person or persons within the House, shall henceforth be exercised by the Dean, Canons, and Senior Students, as the Governing Body of the House; except only certain powers and authorities which are herein-after expressly reserved to the Dean and Canons.

Students of the House elected before the day on which the Commissioners' Ordinance of the Ninth day of January 1858 was approved by Her Majesty in Council shall, if resident in the University, or holding any Office within the House, be entitled to act as members of the Governing Body. Those only shall for this purpose be considered resident in the University who shall, at the time when the privilege of Residence is claimed or exercised, be qualified as Residents to vote in the Congregation of the University under the Act 17th and 18th Victoria, chapter 81.

III.—The Corporate Seals.

Of the two Seals now in use by the Dean and Chapter, the one called "the Small Seal" shall henceforth be "the Chapter Seal," and be retained for the exclusive use of the Dean and Chapter in the exercise of the powers herein reserved to them, and of other powers ordinarily vested in the Dean and Chapter of a Cathedral Church (except such as are herein specially conferred on the Governing Body hereby constituted); and the other Seal, called "the Large Seal," shall, with a duplicate thereof on a reduced scale, be "the College Seal," and be retained for the use of the Governing Body in the exercise of the powers herein conferred upon them. And the affixing of the College Seal shall be sufficient to pass all interest in real and personal Estate, the property of the House, or held in trust as aforesaid, the disposal and management whereof is hereby vested in the Governing Body.

IV.—Reserved Powers of the Dean and Chapter.

All Powers heretofore lawfully exercised by the Dean and Canons over and in respect of the Cathedral Church itself, its fabric and appurtenances, including the Chapter House, and over the Chaplains, Organist, Schoolmaster, Lay Clerks and Choristers, and other Ministers and Servants of the said Church, and over and in respect of the residentiary houses now occupied by the Dean and the six Canons herein-before referred to, shall be excepted out of the Powers assigned to the Governing Body, and shall be reserved to the Dean and Canons, as Dean and Chapter of the said Cathedral Church; and the Dean and Canons shall have, in respect of the things and persons aforesaid, all the powers now vested in them, or ordinarily vested in the Dean and Chapter of a Cathedral Church, subject only, as to the said Church, to the provision herein-after contained, under which it is, at certain times, to be used and regarded as a College Chapel for members of the House.

The Dean and Chapter may, if they shall think fit, diminish the number of Chaplains to not less than Four, by not filling up vacancies, and may assign to them such stipends, not less individually than the emoluments they have heretofore received, nor less in the aggregate than the emoluments heretofore received by the Six Chaplains, as the Dean and Chapter may think fit.

The Dean and Canons shall likewise have the exclusive disposal of the moneys to be annually set apart as herein-after directed, and to be called respectively the "Cathedral Fabric Fund" and the "Chapter Fund."

In the exercise of the Powers herein reserved to them, and in the disposal of the said Funds, the Dean and Canons shall be free from all control or interference on the part of the Governing Body of the House, and subject only to the legal authority of the Visitor; and the Dean and Canons shall not on their part, otherwise than as individual members of the Governing Body, be entitled to control or interfere with the exercise of the powers herein assigned to the Governing Body.

V.—Use of the Cathedral.

The Governing Body shall have power to arrange Services for the benefit of Undergraduate Members of the House, as well as for College servants, on Sundays and Holy Days, and to determine the time at which such Services shall be celebrated; provided always, that there be no interference with the ordinary Cathedral Service, and further that, in case the Canons should concur in adopting such Collegiate Service as the Cathedral Service also, the right of preaching Sermons or of appointing Preachers (if there should be Sermons) shall remain with the Dean and Chapter.

VI.—Right to present to Livings.

The right to present to vacant Benefices in the gift of the House, or held in Trust for any Members of the House as such, shall belong in the first instance to the Governing Body, but may be exercised by them only in favour of persons who shall be either Students or Chaplains of the House. If the Governing Body shall not within three calendar months after the avoidance of any Benefice have presented thereto a Student or Chaplain of the House, the right of Presentation shall pass to the Dean and Canons, who may exercise it in favour of any person whom they may think fit.

Separate Funds.

VII.—*The Cathedral Fabric Fund.*

The Governing Body shall, as soon as conveniently may be after these Recommendations shall come into force, and afterwards, once at least in every ten years, cause a Surveyor to report to them in writing what in his opinion will be the average annual expenditure required during the ensuing ten years for the repairs and proper sustentation of the Cathedral and its appurtenances, including the Chapter House. And the Governing Body shall thereupon order that a sum not less than the amount of such estimate shall be set apart in every year of such decennial period, or until a new estimate shall have been laid before them in the same manner. The annual sums so set apart shall form a separate Fund, which shall be called the "Cathedral Fabric Fund," and shall be applied to such repairs as aforesaid, under the exclusive control of the Dean and Chapter.

VIII.—*The*

VIII.—*The Chapter Fund.*

The Governing Body shall further cause to be set apart in every year a sum not less than 17,000*l.*, which shall be applicable, under the exclusive control of the Dean and Canons, to the following purposes, viz.:—

Payment of Stipends or Salaries to the Chaplains, Organist, Schoolmaster, Lay Clerks, Choristers, and other Ministers and Servants of the Cathedral Church, and of all outgoings and expenses whatever on account of or in relation to the said Church or the Celebration of Divine Service therein (other than those provided for by the Fabric Fund).

Payment of Cathedral Alms and Pensions.

Payment to the Dean and existing Canons of their respective Stipends or Emoluments in the accustomed proportions.

IX.—*Regius Professor of Greek's Fund.*

The Governing Body shall cause a yearly sum of 500*l.* to be set apart and paid out of the revenues of the House to the Regius Professor of Greek within the University for the time being, in addition to the two yearly sums of 40*l.* each now payable to the Regius Professor of Hebrew and the Regius Professor of Divinity.

X.—Application of Revenues.

The several sums herein-before directed to be set apart shall be considered as charges on the general revenues of the House, prior to the Studentships. The surplus revenue, after payment of all necessary charges and outgoings whatsoever, including the emoluments of the Senior and Junior Students, shall be at the disposal of the Governing Body, for the increase of the numbers of Senior and of Open Junior Studentships, and for other College purposes; with power, under the conditions and to the extent herein-after mentioned, to divide the same among the senior Students.

The income arising from the Canonry which has been suppressed in pursuance of the Commissioners' Ordinance, and that which will arise from the suppression of the seventh existing Canonry, shall always be applicable to such of the Senior Studentships as are herein-after called Clerical Studentships; yet not so as to raise the emoluments of any Clerical Studentships above those of any Lay Studentship, nor to increase the number of Clerical Studentships above that herein-after fixed.

XI.—Powers of Governing Body as to College Officers and Byelaws.

The Governing Body may from time to time regulate as they shall think fit the duties and emoluments of the officers of the House (not being such officers as are herein-before placed under the control of the Dean and Chapter), and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the property, revenue, and affairs of the House, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Governing Body shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of any member of the Governing Body, or of any officer

officer of the House whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment if he shall think fit.

The Governing Body may from time to time make Byelaws, binding on the Students, and on all members of the Governing Body, as such: Provided that such Byelaws be not repugnant to any Statute of the House.

XII.—Meetings of the Governing Body.

There shall be two stated General Meetings at least of the Governing Body in each year, on such days as the Governing Body shall appoint. Any stated General Meeting may be adjourned by resolution of the Meeting to a day to be specified in the resolution. The Governing Body may make from time to time such rules for regulating the proceedings at stated or special Meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they may deem expedient.

At all Meetings of the Governing Body (including Meetings for the Election or Deprivation of Senior or Junior Students) the Dean shall preside, and his vote shall be counted as two votes; and whenever the votes shall be equal he shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Governing Body is hereby made requisite, every question arising at any Meeting shall be determined by a majority of the votes of those present.

XIII.—The Dean's Powers.

All powers heretofore exercised by the Dean in respect of the general government and superintendence of the House, the enforcement of order and discipline, the appointment and removal of Tutors and otherwise, may be hereafter exercised by him, except so far as the exercise of such powers would be inconsistent with any provision herein contained. The Dean may, if he shall think fit, appoint from among the resident Senior Students a "Censor Theologiæ," who shall perform the functions and possess the powers hitherto performed and possessed by the Sub-Dean in relation to the Discipline of the House, but without prejudice to the precedence and authority enjoyed by the Sub-Dean at meetings of the Governing Body. The office of "Censor Theologiæ," if created, is, like other offices in the House, to be subject to the power of making Byelaws or Regulations possessed by the Governing Body.

XIV.—The Sub-Dean.

The authority heretofore possessed by the Sub-Dean to act in the place of the Dean in his absence shall be retained, subject to the operation of the Clause last preceding; and the Sub-Dean shall, at Meetings of the Governing Body, have the same precedence and power, if the Dean be absent, as the Dean would have had, if present.

XV.—The

XV.—The Senior Students.

The election of Senior Students shall be held on a stated day or stated days in each year, to be appointed by the Governing Body (subject to the provision for postponement herein-after contained); and notice of such intended election and of the conditions of election shall be given by the Dean, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

The Senior Students shall be persons of unblemished character, conforming to the Liturgy of the United Church of England and Ireland as by law established, who shall have passed all the examinations required by the University for the Degree of Bachelor of Arts, unmarried, and not disqualified by the possession of any such property, benefice, pension, or office as herein-after mentioned. The Candidates shall be examined in such subjects connected with the studies of the University as the Governing Body shall from time to time determine; provided that the system of examinations shall be such as shall render Senior Studentships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Governing Body shall choose that Candidate who after such examination shall appear to them to be of the greatest merit and most fit to be a Senior Student of the House as a place of religion, learning, and education. That Candidate for whom the greatest number of votes shall have been given shall be deemed elected. Whenever there shall be no duly qualified Candidate for a vacant Senior Studentship whom the Governing Body shall judge of sufficient merit for election, and whenever a Senior Studentship shall fall vacant and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Governing Body, not later than the next ensuing stated day of election to Senior Studentships; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

Of the said twenty-eight Senior Studentships, nine (including the Lee's Readerships herein-after mentioned) shall be Lay, and nineteen shall be Clerical, Studentships. The holders of the Lay Studentships shall not be required, as a condition of retaining their Studentships, to take Holy Orders; but if any Lay Student should do so, then upon the next vacancy in a Clerical Studentship a Lay Student shall be elected, so that the aforesaid proportion between Lay and Clerical Studentships shall always be preserved as nearly as may be. No person shall be eligible to a Clerical Studentship who shall not either be a Priest or Deacon of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church. Every person who shall have made such declaration, or who at the time of his election shall be in Deacon's Orders, shall be required to take Priest's Orders within four years after the time at which he shall be of sufficient standing, according to the Statutes of the University, to take the Degree of Master of Arts, and in default thereof shall vacate his Studentship: Provided that it shall be lawful for the Governing Body, in case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months. Such additional Senior Studentships as the Governing Body may hereafter establish, to the number of Twelve or fewer, shall likewise be divided

into Clerical and Lay Studentships, one at least in every three being a Lay Studentship. Any Senior Studentships which may be established after the number has been raised to Forty may also be divided in the same or any other proportion, or may be exclusively Lay or Clerical, as the Governing Body may think fit.

Every person elected to a Senior Studentship shall undergo probation for twelve calendar months from the day of his election inclusive, and at the end of such twelve calendar months shall be admitted an actual Senior Student, if found fit in the judgment of the Governing Body. Every person admitted to probation shall receive during the period of probation the same emoluments as if he had been admitted an actual Senior Student, but shall not be entitled to vote on any occasion.

Every Senior Student who shall marry shall thereupon vacate his Studentship.

Every Senior Student who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if such ecclesiastical benefice be a benefice with cure of souls (except in certain cases to be specified as herein-after mentioned), or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 500*l.*, vacate his Studentship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per Centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The Governing Body may, by a Byelaw or Byelaws, declare in what cases a benefice with cure of souls may be tenable with a Senior Studentship. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. It shall be lawful for the Governing Body to require from any Senior Student any information which they may deem necessary for enabling them to enforce the provisions of this clause.

Every Senior Student who shall be appointed to a Canonry in the House (whether annexed to a Professorship or not), or shall be elected to and accept a Headship or Fellowship in any College within the University of Oxford, or any other University, shall thereupon vacate his Studentship.

The Governing Body may, from time to time, make such regulations respecting the residence of Senior Students within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Senior Student, as they may deem expedient for the interests

interests of the House as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Present regulations respecting the residence of Senior Students shall be binding until altered by the Governing Body.

Every holder of a Clerical Studentship shall be required to take the Degree of Master of Arts within one year after the time at which he shall be of sufficient standing to take that Degree by the Statutes of the University; and every holder of a Lay Studentship shall be required to take either the Degree of Master of Arts, or the Degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the times at which he shall be of sufficient standing to take those Degrees respectively by the Statutes of the University. Any Student failing to comply with the foregoing provisions shall vacate his Studentship; provided that the Governing Body may, whenever they shall deem it just on special grounds to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind or disability of body, one year.

Any Senior Student who shall, in the judgment of the Governing Body, or the major part of it, have been proved guilty of grave immorality, or of contumaciously ceasing to conform to the Liturgy of the United Church of England and Ireland as by law established, shall cease to be a Student of the House; and every Senior Student who shall in like manner have been judged guilty of conduct bringing dishonour upon the House, of gross negligence or misconduct in any office within the same, or of contumacious non-observance of the Statutes or Byelaws of the House, or of grossly offensive behaviour towards any member thereof, may be deprived of his Studentship by the Governing Body, if, in the judgment of the Governing Body, or the major part of it, the gravity of the offence shall so require.

The emoluments of each Senior Student shall be 200*l.* per annum, exclusive of rooms, but inclusive of all other allowances, or as near thereto as the funds available for the purpose will admit. If and when the number of Senior Studentships and that of Open Junior Studentships shall have been respectively raised to Forty, the surplus Revenues of the House, after all prior charges have been satisfied, may be divided among the Senior Students; but so that the emoluments of a Senior Studentship shall never exceed 300*l.* per annum, exclusive of rooms.

The Governing Body may nevertheless, if they shall think fit, at any time increase the emoluments of every Senior Student who shall be a College Officer, Tutor, Reader, or Lecturer within the House to an amount not exceeding 300*l.* per annum, exclusive of rooms, but inclusive of all other allowances.

XVI.—*Dr. Lee's Readers.*

Of the Senior Students, one shall always be a person qualified to give instruction in Anatomy, and another to give instruction in Chemistry. They shall be called respectively "Dr. Lee's Reader in Anatomy," and "Dr. Lee's Reader in Chemistry," and shall be bound to lecture or otherwise give instruction in those Sciences, as the Governing Body may direct. No person in Holy Orders shall be eligible to either of the said Readerships; and any Reader who shall take Holy Orders shall thereupon vacate his Studentship.

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The emoluments of each Reader shall never be less than 200*l.* per annum, exclusive of rooms, but inclusive of all other allowances, and shall be a charge upon the income of the lands and tenements held under the Will of the said Dr. Matthew Lee, posterior to the annual charge or sum of 1,260*l.* herein-after appropriated to Westminster Junior Studentships; if such income shall not be sufficient, they shall be further charged upon the General Revenues of the House. The Lee's Readers shall, as to emoluments and otherwise, be on the same footing as other Senior Students, except that their emoluments are not to fall short of the minimum above specified.

XVII.—*Honorary Students.*

It shall be lawful for the Governing Body, at stated general meetings, to elect distinguished persons to Honorary Studentships within the House. Persons so elected shall be termed Honorary Students, and shall not be entitled to vote on any occasion as Students, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Governing Body shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Studentships, and the mode of election thereto, may also be determined by the Governing Body from time to time. Honorary Students shall not, in the construction of this Ordinance, be counted among the Students of the House, nor Honorary Studentships among the Studentships of the House.

XVIII.—The Junior Students.

Of the Fifty-two Junior Studentships, twenty-one shall be called Westminster Junior Studentships; the remaining thirty-one are herein-after referred to as Open Junior Studentships.

Of the Open Junior Studentships, there shall be seven called the Fell Studentships, two called the Bostock Studentships, and two called respectively the Vernon and the Boulter Studentships.

XIX.—*The Westminster Junior Students.*

The emoluments of the Westminster Junior Studentships shall be of such amount, not less than 115*l.* nor more than 125*l.* each per annum, as the Governing Body shall determine. An annual sum of 1,260*l.* out of the income of the lands and tenements held under the Will of Dr. Matthew Lee, together with the emoluments of the Exhibitions of the foundations of Dr. South, Dr. Frewin, and Canon Hill, shall be applied towards the maintenance of these Studentships.

The Westminster Junior Studentships shall be filled up at Westminster School on the Wednesday in Rogation Week in each year, or on such other day as the Electors shall from time to time determine, by election from those boys on the Royal Foundation of the Collegiate Church of St. Peter, Westminster, who shall have been presented as Candidates by the Head Master of the said School. The electors shall be those persons who, under the Statutes of the said Collegiate Church of Westminster, would have been entitled to elect to Studentships on the old Foundation. The Candidates shall be examined in such subjects as shall have been previously selected by the Head Master, with the approval of the Dean of the said Collegiate Church, and in such

such manner as the electors shall determine; and those Candidates shall be elected whom, after such examination, the electors shall deem to be of the greatest merit, and who shall desire to proceed to Christ Church, and shall, in the judgment of the Dean of Christ Church or his duly appointed representative present at the election, be in all respects fit to be admitted Students of the House. Whenever there shall be no duly qualified Candidate for a Westminster Junior Studentship of sufficient merit for election in the judgment of the majority of the electors, and fit as aforesaid to be admitted a Student of the House, the election to such Studentship shall be postponed to the next annual election day; but if there shall then be no duly qualified Candidate of sufficient merit for election and fit as aforesaid, such Studentship shall be thrown open for that turn to general competition as an open Junior Studentship, and the election thereto shall be held at Christ Church by the same persons after public notice for the same time, and after an examination conducted in the same manner, as an ordinary election to an open Junior Studentship.

Each Westminster Junior Studentship shall be tenable until the Tuesday in Rogation Week in the seventh year from the day of election inclusive, and no longer. Any Junior Studentship which shall be filled up at Westminster School at an election postponed under the foregoing provisions shall be tenable until the Tuesday in Rogation Week in the sixth year from the day of election inclusive, and no longer. Any Westminster Junior Studentship which shall be thrown open to general competition shall be tenable until the expiration of the period for which it would have been tenable if the election thereto had not been postponed, and no longer. The Governing Body shall not be required to fill up in any one year more than three Westminster Junior Studentships (exclusive of any Studentship the election to which may have been postponed under the foregoing provisions).

XX.—*Open Junior Studentships.*

The emoluments of the Open Junior Studentships shall be not less than 75*l.* each per annum, exclusive of rooms, but inclusive of all other allowances; and may be raised if the Governing Board shall deem it expedient, and have sufficient funds at command, to 100*l.* per annum, exclusive of rooms.

The election to Open Junior Studentships, other than the Vernon Studentship, shall be held on a stated day or stated days in each year to be appointed by the Governing Body (subject to the provision for postponement herein-after contained); and notice of such intended election, and of the conditions of election, shall be given by the Dean, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election. The Candidates shall be examined in such subjects and manner as the Governing Body shall determine; and that Candidate shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Student of the House; provided that in elections to one in every three Open Junior Studentships the subjects of competitive examination shall be alternately Mathematics and Physical Science. On each vacancy occurring in the Vernon Studentship, the Patron of that Studentship shall be required to appoint an election thereto at the next ensuing election to Open Junior Studentships. The Candidates shall be examined by such persons and in such manner as the Patron shall appoint; and that

Candidate shall be chosen who, after such examination, shall appear to the Patron to be of the greatest merit. If the Patron shall decline or neglect to appoint an election and examiners, thirty days previous notice at least having been given to him by the Dean, the election to the Vernon Studentship shall be held for that turn by the same persons and in the same manner as to the other Open Junior Studentships. No Candidate for the Vernon Studentship, or for any of the Studentships appropriated to the encouragement of Mathematics and Physical Science as aforesaid, shall be entitled to be admitted to a Studentship if in the judgment of the electors to Open Junior Studentships he shall not be in all respects fit to be a Student of the House.

No person shall be admissible as a Candidate for any Open Junior Studentship who shall have exceeded the age of nineteen years on the first day of January last preceding (except in the case of Physical Science Studentships), or who shall not have produced a certificate of baptism and testimonials of his moral character satisfactory to the Dean. Persons shall be admissible as Candidates for Physical Science Studentships who shall not have exceeded the age of twenty years on the first day of January last preceding.

Each Open Junior Studentship shall be tenable for five years from the day of election inclusive, and no longer.

Whenever there shall be no duly qualified Candidate for a vacant Open Junior Studentship whom the electors or the Patron, as the case may be, shall judge of sufficient merit for election, and whenever an Open Junior Studentship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Governing Body, or the Patron, not later than the next ensuing stated day of election to Open Junior Studentships; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement. In the case of any Open Junior Studentship, the election to which shall have been postponed under the provisions of this Ordinance, the term of five years shall be computed from the day on which the election would have been held if there had been no postponement.

The Governing Body shall not be required to fill up more than six Open Junior Studentships in any one year, so long as the whole number of Open Junior Studentships shall be less than forty.

XXI.—*Discipline and Causes of Deprivation of Junior Students.*

Any Junior Student who shall marry, or be elected to a Senior Studentship, or to a place on the foundation of any other Collegiate Body within the University, shall thereby vacate his Studentship.

Any Junior Student may be deprived of his Studentship by the Governing Body for any misconduct which, in the judgment of the Governing Body, or the major part of them, shall merit deprivation.

Every Junior Student, and every Member of the House under the Degree of Master of Arts, shall be subject to such general regulations as to residence, discipline, and attendance on Divine Worship as may be made from time to time by the Governing Body.

XXII.—The Visitor.

If in any case it shall appear to the Visitor that by reason of any change in the value of money, or increase or diminution of the revenues of the House, any specific sum hereby fixed or which may be hereafter fixed, or any limitation of the amount of any stipend or emolument hereby fixed or which may hereafter be fixed, in exercise of any power hereby given, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the House, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum or limitation shall be increased or diminished as he shall think fit, and the increased or diminished sum or limitation shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

The Governing Body shall, as often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed. The Dean and Chapter shall in like manner, and for the like purpose, be bound to answer any such inquiry as to themselves, the exercise of their Reserved Powers, and the persons and things under their control.

It shall be lawful for the Dean, or for any Canon or Senior Student, if he shall conceive himself aggrieved by any act, decision, or sentence of the Governing Body, and for any Chaplain who may deem himself aggrieved by any act or decision of the Dean or of the Dean and Chapter, and for any Junior Student or Exhibitioner who may have been deprived of his Studentship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

It shall be lawful for the Visitor, on the complaint of the Dean or of any member of the Governing Body, to disallow and annul any Byelaw which shall in his judgment be repugnant to any of the Statutes of the House in force for the time being.

As often as any question shall arise on which the Members of the Governing Body shall be unable to agree, depending wholly or in part on the construction of a Statute of the House, it shall be lawful for the Governing Body, or any three of them, to submit the same to the Visitor, and the Visitor may thereupon declare what is the true construction of such Statute with reference to the case submitted to him. Any like question which may arise between the Governing Body and the Dean and Chapter may be in like manner submitted to the Visitor by the Governing Body or the Dean and Chapter.

XXIII.—Power to alter or repeal.

It shall be lawful for Her Majesty in Council, upon the application of the Governing Body of the House, such application having been agreed to at a stated General Meeting by a majority of not less than two thirds of the votes of those present, from time to time to repeal or to alter any clause or provision herein contained, or to add new clauses or provisions: Provided that no such repeal, alteration, or addition shall extend to or affect such of the provisions

provisions herein contained as reserve any special rights or powers to the Dean and Chapter: Provided also, that notice of every proposal to apply to Her Majesty for any such repeal, alteration, or addition shall have been given at the stated General Meeting next preceding that at which such proposal may be adopted.

MISCELLANEOUS.

XXIV.—*Holford Exhibitions.*

The two consolidated Holford Exhibitions shall respectively be tenable for five years from the day of election inclusive, and no longer. The Exhibitioners shall be elected, after a competitive examination of the Candidates, from among persons educated at the Charterhouse School for two years at least last preceding the day of election, or last preceding their matriculation in the University. No person shall be entitled to preference by reason of his being an Exhibitioner or Pensioner of Sutton's Hospital. No person shall be admissible as a Candidate who shall have completed the fourth Term inclusive from the date of his matriculation. The Dean shall give thirty days notice at least of every intended election to the Head Master of the Charterhouse School, and shall also give public notice thereof for the same period. Whenever there shall be no Candidate whom the electors shall judge of sufficient merit for election, the Exhibition shall be thrown open for that turn to general competition, and the election shall be postponed to a day to be appointed by the electors, not later than the next ensuing stated day of election to Open Junior Studentships. It shall be lawful for the Governing Body, with the consent of the Governors of the Charterhouse, to increase the number of the Exhibitions, if there shall be sufficient funds for that purpose, but so that the emoluments of each Exhibition shall not fall short of 60*l.* per annum.

XXV.—*Exhibitions for Commoners.*

The Governing Body may create Exhibitions for Commoners of the House out of the moneys left for that purpose by Bishop Fell, Archbishop Boulter, and Mrs. Bostock, when those moneys shall have ceased to be required for the temporary purpose of establishing Open Junior Studentships.

XXVI.—*Bishop Wood's Estate.*

No clause or provision herein contained shall extend to or include the estate held under the Will of Bishop Wood for the benefit of the Senior Masters of the House, being Students, or any payments or allowances which may be made thereout pursuant to the said Will, except that holders of Senior Studentships shall, and holders of Junior Studentships shall not, be deemed Students of the House within the meaning of the said Will.

XXVII.—*Room-rents.*

No Student of the House, not being actually resident, shall be entitled to receive any room-rent in respect of his rooms within the House.

XXVIII.—*Cer-*

XXVIII.—*Certain Distinctions abolished.*

There shall be no distinctions in respect of Academical dress, designation, College charges, or College payments, among Undergraduate Members of the House, not being Junior Students nor Exhibitioners within the House.

XXIX.—Temporary Provisions.

The Canonry now existing, not attached either to a Professorship or to the Archdeaconry of Oxford, shall not be filled up when it shall become vacant, and the portion of the Chapter Fund devoted to the support of this Canonry shall thereafter be at the disposal of the Governing Body. Meanwhile, the House or Collegiate Foundation shall be deemed to consist of the Dean and Seven Canons, and other Members, as provided in Clause I.

Studentships of the old Foundation, when they become vacant, are not to be filled up.

The whole number of the said twenty-eight Senior and fifty-two Junior Studentships shall be completed as speedily as the amount of the funds gradually becoming available will permit. The relative rate at which the whole number of Senior and Junior Studentships shall be established shall be in the discretion of the Governing Body; provided that three Westminster Junior Studentships shall be established in every year in which the Governing Body shall have in their hands sufficient means for the purpose; and it shall be lawful for the Governing Body, in order to enable themselves to establish such three Studentships yearly, to apply to that purpose from time to time, and so long as it may be necessary, in addition to the sum of 1,260*l.* above specified, any portion of the income of the estates and funds held under the Will of Dr. M. Lee which shall not be required for carrying into effect the provisions of this Ordinance and the other regulations for the time being in force respecting the application of the said income.

The emoluments of Westminster Junior Studentships may, at the first establishment thereof, be 75*l.* each per annum, exclusive of rooms; but they shall be raised, with all convenient speed, to the minimum amount, herein-before fixed, of 115*l.* per annum, exclusive of rooms.

One Lay Senior Studentship shall be established for every two Clerical Studentships until the whole number of nine Lay Studentships shall be completed.

The emoluments of the Exhibitions of the Foundations of Bishop Fell, of Archbishop Boulter, for Commoners, and of Mrs. Bostock, may be applied towards the maintenance of the Open Junior Studentships so long as it may be necessary; but, so soon as the funds necessary for the endowment of those Studentships shall have been provided from other sources, the Governing Body may create Exhibitions for Commoners of the House out of the moneys left by Bishop Fell, Archbishop Boulter, and Mrs. Bostock for that purpose.

The power of appointing a Censor Theologiæ herein-before given to the Dean shall not be exercised until after the next vacancy in the office of Sub-Dean.

The Governing Body may, if they think fit, increase the emoluments of any Student on the Old Foundation who shall be a College-officer, Tutor, Reader,

or Lecturer, within the House, to an amount not exceeding 300*l.* per annum, exclusive of rooms, but inclusive of all other allowances.

Nothing contained in the above provisions shall be taken to interfere with any of the emoluments heretofore enjoyed by Students on the Old Foundation.

The limitations of age above specified (Clause XX.) shall not apply to Candidates for Junior Studentships who may have matriculated before the 24th day of March 1866. Of such persons no one shall be admissible as a Candidate who on the day of election will have completed the eighth Term inclusive from the date of his matriculation. And the prohibition of distinctions in respect of dress, precedence, payments, and charges shall not apply to Undergraduate Members of the House who shall before that time have been admitted to residence.

C. T. CANTUAR.
J. T. COLERIDGE.
W. P. WOOD.
ROUNDELL PALMER.
EDWARD TWISLETON.

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VICTORIÆ REGINÆ.

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by the said Grand Jury under the Provisions of the said Act, and that the said Four Persons so appointed should have all the Powers and Authority which they would have if they had been appointed under the Provisions of the said Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Report of Commissioners as to Purchase of New Ross Bridge to be as valid as if it had been made after passing of recited Act.

1. That the Report of the said Commissioners respecting the Necessity and Propriety of purchasing the Rights and Property of the said *New Ross Bridge* Commissioners, and the probable Cost of such Purchase, shall be as valid and effectual for the Purposes of the said Act as if such Report had been made after the passing of the said Act; and every Act, Resolution, Order, Appeal, Matter, or Thing done, passed, made, directed, or ordered by the said Grand Jury of the County of *Wexford* with respect to the proposed Purchase and rebuilding of the Bridge over the River *Barrow* at *New Ross* shall be as valid and effectual for the Purposes of the said Act as if the said Act had been passed before the Meeting of the said Grand Jury; and the Four Persons appointed by the said Grand Jury to act with and form a Committee with Four Persons to be appointed under the Provisions of the said Act by the Grand Jury of the County of *Kilkenny*, for the Purpose of contracting for, carrying on, conducting, and managing the rebuilding of the said Bridge, shall have all and the like Powers, Authority, and Privileges, and shall discharge all and the like Duties, as are conferred and imposed by the 15th, 16th, 17th, 18th, 19th, and 20th Sections of the said Act upon a Committee appointed under the Provisions thereof.

Short Title.

2. This Act may be cited for all Purposes as "The *Wexford* Grand Jury Act, 1867."

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CAP. LXXVIII.

An Act to amend The *Tyne* Pilotage Order Confirmation Act, 1865. [12th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Schedule to The (*Tyne*) Pilotage Order Confirmation Act, 1865, is hereby amended in manner expressed in the Schedule to this Act. Amendment of Schedule to 28 & 29 Vict. c. 44.

2. This Act may be cited as The *Tyne* Pilotage Amendment Act, 1867. Short Title.

SCHEDULE.

1. Paragraph (2) of Section 5 of the Amended Order set out in the Schedule to The (Tyne) Pilotage Order Confirmation Act, 1865, (herein-after referred to as the Act of 1865,) shall be deemed to be omitted, and in lieu thereof there shall be deemed to be substituted the following Paragraph:

> Meetings of the registered Shipowners of Newcastle-upon-Tyne for the Election of Commissioners shall be held at the Town Hall of the Borough of Newcastle-upon-Tyne, or at such other Place within the Borough of Newcastle-upon-Tyne as the Commissioners from Time to Time appoint, on such Day, within Ten Days next before the First Day of October One thousand eight hundred and sixty-seven, and in each Fifth Year thereafter, as the Commissioners from Time to Time appoint, the Place and Time of meeting being advertised by the Clerk of the Commissioners Five Days at least before the Day of meeting, by Hand-bills posted in the Borough of Newcastle-upon Tyne.

2. Paragraphs (4), (5), (6), and (7) of the same Section shall be read as if the Word "Quinquennial" were substituted for the Word "Annual" throughout those Paragraphs, and the Meeting in the Year 1867 shall be deemed to be a Quinquennial Meeting.

3. Paragraphs (9) and (10) of the same Section shall be deemed to be omitted.

4. The Commissioners elected by the registered Shipowners of Newcastle-upon-Tyne who are in Office at the Meeting in 1867 shall go out of Office at that Meeting, but shall be re-eligible; and the Commissioners elected by the registered Shipowners of Newcastle-upon-Tyne at each Quinquennial Meeting shall go out of Office at the Quinquennial Meeting next following their Election, but shall be re-eligible.

5. Where the Commissioners exercise the Power conferred on them by Paragraph (11) of the said Section, the Person elected by them to be a Commissioner shall be required to have the like Qualification as if he were elected as a Commissioner by the registered Shipowners of Newcastle-upon-Tyne on the Day on which he is so elected by the Commissioners.

6. Sections 6 and 7 of the said Order shall be read and have Effect as if the Alterations hereby made in Section 5 thereof had been made therein before the passing of the Act of 1865.

7. Section 8 of the said Order shall extend and apply to the Quinquennial Elections aforesaid.

8. Nothing herein shall affect the past Operation of the said Order, or (except as expressly herein provided) any Right, Title, Obligation, or Liability acquired or accrued before the passing of the Act to which this Schedule is annexed.

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Short Title.

2. This Act may be cited for all Purposes as "The General Police and Improvement (*Scotland*) Supplemental Act, 1867."

SCHE-

SCHEDULE referred to in this Act.

I.

DUNDEE.

General Police and Improvement (Scotland) Act, 1862, (25 & 26 *Vict. Cap.* 101.)

WHEREAS by the General Police and Improvement (Scotland) Act, 1862, it is, inter alia, enacted, section 79, that "whenever it appears desirable to the "magistrates and council or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing this Act in any burgh or "populous place, that provision should be made in order the better to apply "and execute therein the provisions of this Act in whole or in part, or for "the future application and execution of any Acts in force therein having "relation to the purposes of this Act, or to the roads or streets within such "burgh or populous place, or to any other matter or thing connected with the "management and administration of the municipal or police affairs of any such "burgh or populous place, and that any such Acts, or any exemptions from "rating therefrom derived, or that any Provisional Order or Orders in Council "applying this Act hereby authorized to be made, should be wholly or "partially repealed or altered, the magistrates and council or the commissioners of any burgh, or the magistrates and councils or commissioners of "contiguous burghs, as the case may be, may present a Petition to one of Her "Majesty's Principal Secretaries of State praying for such provision, repeal, "and alteration as aforesaid, or for any of such things, and such Petition shall "be supported by such evidence as the said Secretary requires; and it shall "be lawful for any of Her Majesty's Principal Secretaries of State to issue a "Provisional Order under his hand and seal of office in relation to the several "things mentioned in the said Petition, either in accordance with the prayer "thereof, or with such modifications or alterations as may appear to him to be "requisite:"

And whereas in said burgh of Dundee the magistrates and town council of said burgh are the commissioners of police appointed and acting under and in virtue of the Act 13 & 14 Vict. cap. 33., intituled "An Act to make more "effectual provision for regulating the police of towns and populous places in "Scotland, and for paving, draining, cleansing, lighting, and improving the "same:"

And whereas a Petition under the provisions of the said General Police and Improvement (Scotland) Act has been addressed to me as one of Her Majesty's Principal

Principal Secretaries of State by the said magistrates and council of Dundee as commissioners foresaid, setting forth that for the better executing the said Act 13 & 14 Vict. cap. 33. within the said burgh of Dundee it is desirable that the said magistrates and council should be enabled to acquire under the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," for the purchase of lands otherwise than by agreement, certain lands situated in Seagate, Tally Street, and Cherryfield Lane, of Dundee, in order that the said magistrates and council may render more safe for public traffic certain of the streets within Dundee, and praying that a Provisional Order may be issued enabling the said magistrates and council to put in force the said provisions of the last-mentioned Act with respect to the said lands, and that the said Order may be thereafter confirmed by Act of Parliament:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said Petition, I have resolved to grant the prayer thereof in respect to the lands situated in Seagate and Tally Street foresaid; and plans of the said lands in Seagate and Tally Street aforesaid, and a book of reference thereto containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands and houses that are proposed to be taken, have been signed by me with reference to this Order, and have been deposited with the sheriff clerk of the county of Forfar at his office in Dundee:

Now, therefore, in pursuance of the powers vested in me by the said "General Police and Improvement (Scotland) Act, 1862," I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand and seal of office, direct that from and after the passing of any Act of Parliament confirming the same,—

1. It shall be lawful for the magistrates and town council of Dundee as commissioners of police of the said burgh of Dundee to put in force the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," in regard to the purchase and taking of lands otherwise than by agreement with reference to the lands delineated on the said plans and described in the said book of reference:

Provided always, that it shall not be lawful for the said magistrates and council, or for any person having right through or from them, to build upon any portion of the lands to be acquired under this Order from the trustees of the congregation of St. Paul's Episcopal Church in Dundee.

2. The words "promoters of the undertaking" in the said "Lands Clauses Consolidation (Scotland) Act, 1845," shall be held to mean and include the magistrates and council of Dundee acting as commissioners foresaid for executing the said Act 13 & 14 Vict. cap. 33.; and the word "lands" in this Provisional Order shall have the meaning assigned to it in the said "Lands Clauses Consolidation (Scotland) Act, 1845."

Given under my hand and seal at Whitehall this Thirtieth day of March 1867.

S. H. WALPOLE.

II.

DUNDEE.

General Police and Improvement (Scotland) Act, 1862, (25 & 26 *Vict. c.* 101.)

WHEREAS by the General Police and Improvement (Scotland) Act, 1862, it is, inter alia, enacted, section 79, that "whenever it appears desirable to the "magistrates and council or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing this Act in any burgh or "populous place, that provision should be made in order the better to apply and "execute therein the provisions of this Act in whole or in part, or for the "future application and execution of any Acts in force therein having relation "to the purposes of this Act, or to the roads or streets within such burgh or "populous place, or to any other matter or thing connected with the management and administration of the municipal or police affairs of any such burgh "or populous place, or that any such Acts or any exemptions from rating "therefrom derived, or that any Provisional Order or Order in Council applying this Act hereby authorized to be made, should be wholly or partially "repealed or altered," "the magistrates and council or the commissioners of "any burgh, or the magistrates and council or commissioners of contiguous "burghs, as the case may be, may present a Petition to one of Her Majesty's "Principal Secretaries of State praying for such provision, repeal, and alteration as aforesaid, or for any of such things, and such Petition shall be supported "by such evidence as the said Secretary requires;" and "it shall be lawful for "any of Her Majesty's Principal Secretaries of State to issue a Provisional "Order under his hand and seal of office in relation to the several things mentioned in the said Petition, either in accordance with the prayer thereof, or "with such modifications or alterations as may appear to him to be requisite:"

And whereas in the burgh of Dundee the magistrates and town council of said burgh are the commissioners of police therein appointed and acting under and in virtue of the Act 13 & 14 Vict. cap. 33., intituled "An Act to "make more effectual provision for regulating the police of towns and populous "places in Scotland, and for paving, draining, cleansing, lighting, and improving "the same:"

And whereas a Petition under the provisions of the said General Police and Improvement (Scotland) Act, 1862, has been presented to me, as one of Her Majesty's Principal Secretaries of State, by the said magistrates and council of Dundee as commissioners foresaid, setting forth that for the better executing the said Act 13 & 14 Vict. cap. 33. within the said burgh of Dundee it is desirable that the said magistrates and council as commissioners foresaid should be enabled to acquire under the provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, for the purchase of lands otherwise than by agreement, certain lands situated in or in the line of Bank Street of Dundee in order that the said magistrates and council may open up and complete said street, and provide a safe and convenient thoroughfare between Reform Street and Barrack Street in said burgh, and praying that a Provisional Order may be issued enabling the said magistrates and council to put in force the said provisions of the last-mentioned Act with respect to the said lands, and that the said Order may be thereafter confirmed by Act of Parliament:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said Petition, I have resolved to grant the prayer thereof in respect to such portion of said lands as will be sufficient to enable the said magistrates in council to open up and complete Bank Street aforesaid at an uniform width of thirty-eight feet from North to South; and a plan of the said lands, and a schedule relative thereto, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands and houses proposed to be taken, have been signed by me with reference to this Order, and have been deposited with the sheriff clerk of the county of Forfar at his office in Dundee:

Now, therefore, in pursuance of the powers vested in me by the said General Police and Improvement (Scotland) Act, 1862, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand and seal of office, direct that from and after the passing of any Act of Parliament confirming the same,—

1. It shall be lawful for the magistrates and town council of Dundee as commissioners of police of the said burgh of Dundee to put in force the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," in regard to the purchase and taking of lands otherwise than by agreement with reference to such portion of the lands delineated on the said plan, and described in the said schedule, as will be sufficient to enable the said magistrates and town council to open up and complete the street called Bank Street in said burgh at an uniform width of thirty-eight feet from North to South: Provided that nothing herein contained shall alter or affect the provisions of the Ninetieth section of the last-mentioned Act.

2. The words "promoters of the undertaking" in the said "Lands Clauses Consolidation (Scotland) Act, 1845," shall be held to mean and include the magistrates and town council of Dundee acting as commissioners foresaid for executing the said Act 13 & 14 Vict. cap. 33.; and the word "lands" in this Provisional Order shall have the meaning assigned to it in the said "Lands Clauses Consolidation (Scotland) Act, 1845."

Given under my hand and seal at Whitehall, this Tenth day of July 1867.

L.S.

GATHORNE HARDY.

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CAP. LXXX.

An Act to define the Duties of the Assessor of Railways in *Scotland* in making up the Valuation Roll of Railways, and to amend in certain respects the Valuation of Lands (*Scotland*) Acts.

[12th *August* 1867.]

WHEREAS an Act was passed in the Seventeenth and Eighteenth Years of Her Majesty's Reign, Chapter Ninety-one, intituled *An Act for the Valuation of Lands and Heritages in* Scotland, and another Act was passed in the Twentieth and Twenty-first Years of Her Majesty's Reign, Chapter Fifty-eight, intituled *An Act to amend the Act Seventeenth and Eighteenth* Victoria, *for the Valuation of Lands in* Scotland: 17 & 18 Vict. c. 91. 20 & 21 Vict. c. 58.

And whereas it is expedient to farther define the Duties of the Assessor of Railways in *Scotland* in making up the Valuation Rolls of Railways under the first-recited Act, and to amend in certain other respects the Provisions of both the recited Acts:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act shall be cited for all Purposes as "The Valuation of Lands (*Scotland*) Amendment Act, 1867."

Definition of Term.

2. The Term "permanent Way" in this Act shall mean and include the Line or Lines of Railway, Bridges under and over the same, Viaducts, Tunnels, Fences, and Ditches along the said Lines, Signals and Apparatus connected therewith.

One Half of Expense of maintaining permanent Way of Railways to be deducted by Assessor of Railways and Canals before fixing cumulo Value of Railway.

3. In ascertaining the yearly Rent or Value in Terms of the first-recited Act of the Lands and Heritages in any Parish, County, or Burgh belonging to or leased by any Railway Company, and forming Part of the Undertaking of such Company, One Half of the Expenses incurred in maintaining or repairing the permanent Way of Railways, and charged to Revenue in the published Accounts of such Railway Company for the Year preceding that for which the Valuation is made, shall be allowed by the Assessor of Railways and Canals as a Deduction before the cumulo yearly Rent or Value of each Railway is fixed, provided that such Assessor is satisfied that such Expenses have been truly expended in maintaining or repairing the permanent Way of each such Railway: Provided always, that the Cost of Repairs of Stations, Engine Houses, Workshops, Wharfs, Docks, Depôts, Counting Houses, and other Houses and Places of Business belonging to or leased by any Railway Company, and forming Part of the Undertaking of such Company, shall not be deemed to be Expenses to be allowed by the said Assessor in Terms of this Section.

Amendment of Sect. 22. of 17 & 18 Vict. c. 91. as to Stations, &c.

4. Whereas the Twenty-second Section of the first-recited Act, in providing the Mode of ascertaining the yearly Value or Rent of the Lands and Heritages in any Parish, County, or Burgh belonging to or leased by any Railway or Canal Company, and forming Part of the Undertaking of such Company, fixed the Deduction to be made from the cumulo yearly Value or Rent of the whole Lands and Heritages in *Scotland* as aforesaid of each such Railway or Canal Company in respect of the Cost of the Stations, Wharfs, Docks, Depôts, Counting Houses, and other Houses and Places of Business in *Scotland*, of and connected with the Undertaking of such Company, at a Sum equal to Three Pounds *per Centum* of the

the whole Cost thereof: And whereas such Deduction was fixed at too small a Sum, and should for the future be increased: Be it enacted as follows:

The Twenty-second Section of the first-recited Act shall be read and construed as if the Words "Five Pounds *per Centum*" were substituted for the Words "Three Pounds *per Centum*" wherever these latter Words occur in the said Section of the said first-recited Act.

Separate Valuation to be assigned, if required before 1st April in each Year, to Towns and populous Places in which a General or Local Police Act is in force.

5. The Assessor of Railways and Canals shall, if required as hereinafter provided, specify and assign separately the Value of those Portions of Railways included within the Limits of Burghs, Towns, or populous Places (not being Burghs in the Sense of the Twenty-seventh Section of the first-recited Act, which Section shall remain in full Force and Effect) which have adopted or shall hereafter adopt the Provisions of the Acts of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three, or of the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and one, or in which any Local Police Act is or may hereafter be in force: Provided always, that it shall not be necessary for the said Assessor to assign separately the Value of the Portions of Railways included within the Limits of any Burgh, Town, or populous Place, in Terms of this Section, unless on or before the First Day of *April* in each Year the Town Clerk or Clerk of the Commissioners or Trustees of Police thereof, as the Case may be, shall have required him so to assign the same; and such Town Clerk or Clerk of the Commissioners or Trustees of Police, when making such Requisition, shall be bound to state the lineal Measurement of the Portions of the Railway or Railways belonging to or leased by any Railway Company, and forming Part of the Undertaking thereof, situated within the Limits of such Burgh, Town, or populous Place, and the Assessor shall satisfy himself as to the Correctness of such Measurement; and the said Assessor, immediately on the Completion of the Valuation Roll made up by him under the recited Acts and this Act, shall transmit to each Town Clerk or Clerk of the Commissioners or Trustees of Police so requiring him as aforesaid a certified Copy of the Valuation, taken from such Valuation Roll, of the Lands and Heritages within such Burgh, Town, or populous Place, as the Case may be, belonging to or leased by and forming Part of the Undertaking of such Company; and such Valuation relating to such Company shall be engrossed by such Town Clerk or Clerk of the Commissioners or Trustees of Police, as the Case may be, in the Roll or Book of Assessment of such Burgh, Town, or populous Place made up in Terms of the Acts of the Thirteenth and

and Fourteenth *Victoria*, Chapter Thirty-three, or of the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and one, or of the Local Act in force in such Burgh, Town, or populous Place; and such Valuation shall be authenticated by the Signature of such Town Clerk or Clerk of the Commissioners or Trustees of Police, as the Case may be, and shall be thenceforward deemed and taken to be a Part of such Roll or Book of Assessment of such Burgh, Town, or populous Place, as the Case may be.

Valuation Roll of Railways made up by Assessor of Railways and Canals to be open for Inspection, &c.

6. The Valuation Roll to be made up by the Assessor of Railways and Canals, while in the Hands of such Assessor, shall be patent and accessible to all Persons having Interest therein, and the Assessor shall, when required by any such Person, exhibit to him a Statement showing the Principles and Calculations on which the Valuation of such Assessor is founded, without Payment of any Fee; and pending the Consideration of any Appeal against the Valuation of such Assessor, he shall, if required, be bound to lodge the said Statement in Court Six Days before such Appeal is to be heard.

Time for lodging Appeals against Assessor's Entries in Valuation Roll.

7. All Appeals or Complaints against any Entry in the Valuation Rolls made up in Terms of the said recited Acts and of this Act, either by the Assessors appointed by the Commissioners of Supply of any County, or by the Magistrates of any Burgh, or by the Assessor of Railways and Canals, shall, except as after provided, be lodged not later than the Tenth Day of *September* in each Year, and every such Appeal or Complaint shall, except as aforesaid, be heard and determined not later than the Thirtieth Day of *September* in each Year.

Sect. 2. of 20 & 21 Vict. c. 58. amended as herein stated.

8. The Second Section of the second-recited Act is hereby amended to the Effect of providing that hereafter the Judges to whom the Case therein referred to shall be submitted, instead of being the Senior Lord Ordinary and the Lord Ordinary officiating in Exchequer Causes in the Court of Session, shall be any Two Judges in the said Court, who shall be named for that Purpose from Time to Time by Act of Sederunt of the said Court: Provided always, that any Valuation which shall have been confirmed or altered in conformity with the Opinion of said Judges shall thereafter be final and not subject to Review in any manner of way.

Liability to Assessment not to be

9. Nothing contained in this Act shall alter or affect any Classification or Power of Classification, or any Deduction or Allowances,

Allowances, or Power of making Deductions or Allowances from gross Rental or annual Value, made or possessed by any Body, Persons or Person, entitled to impose or levy Assessments, except that in estimating the Amount of such Deductions or Allowances there shall not be allowed or included therein the Proportion of the Expenses of maintaining or repairing the permanent Way of Railways to be allowed by the Assessor of Railways and Canals in Terms of Section Third of this Act; and nothing contained in this Section shall affect the Value to be inserted in the Valuation Roll of Railways and Canals in Terms of this Act; and nothing contained in this Act shall exempt from or render liable to Assessment any Person or Property not previously exempt from or liable to Assessment. altered by this Act.

10. It shall be lawful for the Commissioners of Supply of any County, or the Magistrates of any Burgh, to resolve at any Meeting of their Number, ordinary or special, duly called, and by a Majority of those attending and voting, that the Valuation Roll of such County or Burgh for the current Year shall be printed; and the Expenses of such Printing shall be deemed to be Part of the Expenses of making up such Roll in Terms of the Eighteenth Section of the first-recited Act, and shall be assessed for and levied accordingly: Provided always, that Notice of the Intention to move such Resolution shall be inserted in the Notice calling the Meeting at which it is to be moved. Printing of Valuation Roll.

11. The recited Acts, and all other Laws, Statutes, and Usages, shall be and the same are hereby repealed, in so far as necessary to give Effect to the Provisions of this Act, but in all other respects they shall remain in full Force and Effect. Partial Repeal of recited Acts.

12. The First Valuation Rolls made up under the said recited Acts and this Act shall be for the Year from *Whit Sunday* One thousand eight hundred and sixty-seven to *Whit Sunday* One thousand eight hundred and sixty-eight: Provided always, that for such Year only the Time allowed to the Assessor of Railways and Canals for making up his Valuation Roll, and transmitting Copies thereof to each Railway, Canal, and other Company, shall be and is hereby extended to the Fifteenth Day of *September* next; the Time for complaining to the said Assessor, or lodging a Note of Appeal to the Lord Ordinary officiating on the Bills, or to the Sheriff, as the Case may be, against any Valuation made by such Assessor, shall be and is hereby extended to the Tenth Day of *October* next; and Commencement of Act.

the Time for hearing and determining any such Complaint or Appeal shall be and is hereby extended to the Thirtieth Day of *November* next.

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notwithstanding any former Law, Usage, or Practice to the contrary.

Not to apply to Prorogation at Close of a Session.

2. This Act shall not apply to the Case of the Prorogation of Parliament at the Close of a Session.

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Expense of boarding Ships.

into any Port in the United Kingdom, and in respect of which any Officer of Customs may be stationed in charge, either on board thereof or otherwise, for the due Protection of the Revenue.

2 & 3 Vict. c. 71. s. 44. not to apply to Customs Offences.

4. The Forty-fourth Section of the Act Second and Third of *Victoria*, Chapter Seventy-one, shall not be deemed to apply to any Offence against this or any other Act relating to the Customs.

Operation of Sect. 2 of 23 & 24 Vict. c. 110. limited.

5. The Words "United Kingdom" in the Second Section of "The Customs Duties Consolidation Act, 1860," are hereby declared to apply to and include only *Great Britain* and *Ireland*.

To substitute simpler Provisions as to Goods per Bill of Store.

6. All *British* Goods brought back into the United Kingdom, being of such a Kind or Description as, if Foreign, would be liable to any Duty of Customs on Importation, shall be deemed to be Foreign, and liable to the same Duties, Rules, Regulations, and Restrictions as Foreign Goods of the like Kind or Description; but if the same shall be brought back within Five Years from the Time of the Exportation thereof, and it shall be proved to the Satisfaction of the Commissioners of Customs that they are *British* Goods returned, the same may be entered by Bill of Store, containing such Particulars and in such Manner and Form as the said Commissioners shall direct: Provided always, that all Corn, Grain, Meal, and Flour brought into the United Kingdom shall be deemed and taken to be Foreign Goods; and all Goods brought into the United Kingdom for which any Drawback of Excise or Customs shall have been received on Exportation shall be deemed and treated as Foreign, unless admitted to Entry by special Permission of the Commissioners of Customs, and on Repayment of such Drawback; and all Foreign Goods on Re-importation into the United Kingdom, whether they shall have paid Duty on their First Importation or not, shall be liable to the same Duties, Rules, Regulations, and Restrictions as if then imported for the First Time: Provided also, that if any *British* Goods brought into the United Kingdom bear the Brand or Mark of any *British* Manufacturer, the same shall be admitted to Entry as such, without a Bill of Store, if the Proprietor of such Brand or Mark, or his legal Representative, shall give his Consent in Writing to the Delivery thereof.

Warehoused Goods removed to be produced to Officers of Customs before Entry.

7. When any warehoused Goods are removed under Bond from a Customs Warehouse at one Port to be warehoused at another Port, or for Exportation therefrom, such Goods shall, within Forty-eight Hours after Arrival at such Port, and on or before the Entry thereof for Re-warehousing, Exportation, or otherwise, be produced to the proper Officers of Customs at such last-mentioned Port, although the Time prescribed in such Bond for the Removal, Re-warehousing, or Exportation of such Goods shall not have expired, and if not so produced the Bond under which the same are removed shall be forfeited,

forfeited, and may be put in Suit, in the same Manner as if the Regulation hereby made formed Part of the Condition of such Bond.

To adjust Duties on Sulphuric Ether, Collodion, and purified Naphtha.

8. Upon the Importation into *Great Britain* or *Ireland* of the following Goods, and in lieu of any Duties now chargeable thereon, the following Duties shall be charged; namely, upon every Gallon of Sulphuric Ether Twenty-five Shillings, and upon every Gallon of Collodion Twenty-four Shillings, and upon Naphtha or Methylic Alcohol purified by means of Filtration or other Process Ten Shillings and Fivepence for every Gallon of the Strength of Proof ascertained by *Sykes'* Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.

Definition of Term "any Spirits" in Sect. 9 of 28 & 29 Vict. c. 98.

9. It is hereby declared, That the Words "any Spirits" in the Ninth Section of the Act of the Twenty-eighth and Twenty-ninth of *Victoria*, Chapter Ninety-eight, shall not authorize the Use of flavoured or compounded *British* Spirits in the fortifying of Wine in a Customs Warehouse.

Shipping Bill and Duplicate for Goods in Transit.

10. Whenever any Goods are reported in Transit, and entered or required to be entered as Goods in Transit, the Person entering the same shall furnish to the proper Officer of the Customs a Shipping Bill, containing an accurate Account of the Quantity and Description of the Goods, and of the Value of such of them as were formerly chargeable with Duty at Value on Importation, together with a Duplicate of such Shipping Bill, and shall comply with the Rules and Regulations for the Time being of the Commissioners of Customs respecting the Shipment and Clearance of such Goods; and in case such Goods are found not to correspond with the Particulars contained in such Shipping Bill, the same may be detained until the Discrepancy is explained to the Satisfaction of the Commissioners of Customs, who may thereupon restore the same, on such Terms as they may deem proper; and any Person entering Goods in Transit who shall refuse or neglect to furnish such Shipping Bill and Duplicate, or either of them, to such Officer, shall forfeit a Penalty of Forty Shillings.

Drawback Goods not agreeing with Shipping Bill forfeited.

11. If any Goods upon which any Drawback shall be claimed or allowed shall be brought to any Quay, Wharf, or other Place to be shipped for Exportation, or shall be actually shipped, and shall, on Examination by the proper Officers of Customs, be found not to agree in Quantity, Quality, and Description with the Entry in the Shipping Bill, Debenture, or other proper Document or Authority for Allowance of Drawback on Shipment, or shall be found to be of less Value for Home Use than the Amount of the Drawback claimed, all such Goods, and the Package containing the same, with all other the Contents therein, shall be forfeited; and the Person or Persons

Persons claiming

Drawback thereon, or more than due, to forfeit Treble Value, or 100*l.*

Persons entering such Goods, and claiming the Drawback thereon, or claiming more Drawback on any Goods than the Value thereof, or than shall be legally due thereon, shall in any and every such Case forfeit and pay a Sum of One hundred Pounds, or treble the Value of such Goods so entered, or of the Amount of the Drawback claimed, at the Election of the Commissioners of Customs.

Goods on board to correspond with Content.

12. If any Goods liable to Duty on Importation, or taken from the Warehouse to be exported, or entitled to Drawback on Exportation, or exported under Bond, which are enumerated in the Content of any Ship, shall not be duly shipped before the Departure of such Ship, or shall not be duly certified by the proper Officer as short shipped, such Goods shall be forfeited; or if any such Goods shall be taken on board such Ship, not being enumerated in such Content, the Master of such Ship shall forfeit the Sum of Five Pounds in respect of every Package of such Goods; and if any Goods duly shipped on board such Ship shall be unshipped, or landed at any other Place than that for which they shall have been cleared, unless otherwise accounted for to the Satisfaction of the Commissioners of Customs, the Master of such Ship shall forfeit a Sum equal to treble the Value of the Goods so landed.

Provisions of Acts relating to Exportation of Goods applicable to Goods in Transit.

13. The Provisions contained in the several Acts relating to the Customs with reference to the Exportation of warehoused Goods shall be deemed to apply to and include Goods liable to Duties of Customs transhipped, and Goods exported on Drawback.

To prevent Goods lying at Risk on the Quays or Lighters for an unreasonable Time.

14. If any Goods in respect of which Bond shall be given for the Exportation thereof in any Ship shall not be duly exported in such Ship, or be re-warehoused, within Fourteen Days after the final Clearance of such Ship, the Person or Persons entering the same shall be liable to a Penalty of Five Pounds, unless they shall in the meantime have been entered for Exportation under Bond in some other Ship, in which Case the Person or Persons entering the same shall be liable to a Penalty of Five Pounds, unless the same shall be exported in or re-warehoused within Fourteen Days after the final Clearance of such last-mentioned Ship.

British and Irish Spirits may be exported in Casks of Nine Gallons each.

15. *British* or *Irish* Spirits may be exported from *Great Britain* or *Ireland* to Parts beyond the Seas, or be removed to the *Isle of Man*, in Casks of the Content of Nine Gallons each at the least; but no *British* or *Irish* Spirits shall be removed or exported from the *Isle of Man* to any other Part of the United Kingdom, under pain of Forfeiture thereof.

Spirits sweetened, coloured, &c. may be removed from one Customs

16. Spirits to which any sweetening or colouring Matter or any other Ingredient may have been added in a Customs Warehouse, under the Provisions of the Seventh Section of an Act passed in the Twenty-eighth and Twenty-ninth Years of Her Majesty's Reign, Chapter

Chapter Ninety-eight, may, notwithstanding anything to the contrary contained in the said last-mentioned Act, be removed for Exportation or Shipment as Stores, under such Regulations as the Commissioners of Customs shall appoint, to any other approved Customs Warehouse in the same or at any other Port, provided such Spirits be drawn off into Imperial or reputed Quart or Pint Bottles, and be packed in Cases containing not less than One Dozen Quarts or Two Dozen Pints.

Warehouse to another in Bottles.

17. Wine for Exportation may be fortified in Bond, by Permission of the Commissioners of Customs, to a greater Degree of Strength than Forty *per Cent.* of Proof Spirit, if it appear to them to be necessary for the Preservation of such Wine during the Voyage.

Wine may be fortified to more than 40 per Cent. for Exportation.

18. Whenever any Officer or other Person in the Service or Employment of the Customs, and having a Commission or Deputation from the Commissioners of that Revenue, shall cease to be employed in such Service, and shall for the Space of One Week after he shall cease to be in such Service or Employment neglect or refuse to deliver up such Commission or Deputation, every such Person shall be liable to be proceeded against for such Offence before any Justice of the Peace, who is hereby authorized, upon Conviction of such Offender, to sentence him to Imprisonment in any Gaol until the Offender shall deliver up such Commission or Deputation, or otherwise account for the same to the Satisfaction of the Commissioners of Customs.

Penalty on Officers of Customs not delivering up Commissions or Deputations on Retirement, &c.

19. Any Monies, Chattels, or other valuable Securities which shall or may be received by any Officer or Clerk in the Service of the Customs, either as Duties of Customs, or under or by virtue of any Statute, or by the Order or Direction of the Commissioners of Customs, or in virtue of his Office or Employment, or otherwise, for the Use and Service of Her Majesty or of any Public Department, shall be deemed to be Monies, Chattels, or valuable Securities for the Public Service within the Meaning of the Act of the Second of *William* the Fourth, Chapter Four.

Certain Monies, &c. deemed within Meaning of 2 W. 4. c. 4.

20. The Word "Boat" in the Two hundred and seventh Section of "The Customs Consolidation Act, 1853," shall be deemed to mean, apply to, and include any Vessel or Boat, whether decked, partially decked, or open, not being of the Burden of One hundred Tons, and not belonging to any Ship.

"Boat" in Sect. 207 of 16 & 17 Vict. c. 107. to apply to Boats under 100 Tons.

21. The Powers of Seizure and Detention conferred by the Two hundred and twenty-third Section of "The Customs Consolidation Act, 1853," upon Officers of Customs or Excise, and others, shall extend to and be conferred upon the Constables and Police Officers of any County, City, or Borough in the United Kingdom, with the Sanction of the Magistrates having Jurisdiction therein.

Police authorized to co-operate with Officers of Customs, &c.

22. Where

Persons in Prison against whom Informations are exhibited for Offences against the Customs Laws to be brought up by Habeas Corpus at the Hearing of such Informations.

22. Where any Person against whom an Information shall be exhibited before a Justice of the Peace for any Offence committed by such Person against any Act relating to the Customs shall be in Prison on any Account whatever at the Time appointed for the Hearing of such Information, the Commissioners of Customs shall cause to be obtained and issued out of the Court of Exchequer in *England*, *Scotland*, or *Ireland*, as the Case may require, a Writ of Habeas Corpus directed to the Governor or Keeper of the Prison in which such Person shall be confined, commanding him to convey such Person to the Place of Hearing to be specified in such Writ, in order that the said Person may answer the said Information and attend the Trial thereof; and such Writ of Habeas Corpus shall be issued out of either of the said Courts, on Application made by the Solicitor for the Customs, on behalf of the said Commissioners, to any Baron or Judge of any of the Superior Courts of Law in *England, Scotland*, and *Ireland* respectively; and it shall be lawful for the Justices or Magistrate before whom any such Information shall be brought for Adjudication to refuse to proceed with the said Information in the Absence of the Person charged, when satisfactory Proof shall be made that such Person is confined in Prison.

Officers may search Premises by Warrant granted on reasonable Cause shown.

23. If any Officer of Customs shall have reasonable Cause to suspect that any uncustomed or prohibited Goods are harboured, kept, or concealed in any House or other Place either in the United Kingdom or the Channel Islands, and it shall be made to appear by Information on Oath before any Justice of the Peace in the United Kingdom, or any Deemster, Jurat, Bailiff, or other Magistrate in the Channel Islands, it shall be lawful for such Justice, Deemster, Jurat, Bailiff, or other Magistrate, by special Warrant under his Hand, to authorize such Officer to enter and search such House or other Place, and to seize and carry away any such uncustomed or prohibited Goods as may be found therein; and it shall be lawful for such Officer, and he is hereby authorized, in case of Resistance, to break open any Door, and to force and remove any other Impediment or Obstruction to such Entry, Search, or Seizure as aforesaid; and such Officer may, if he see fit, avail himself of the Service of any Constable or Police Officer to aid and assist in the Execution of such Warrant, and any Constable or other Police Officer is hereby required when so called upon to aid and assist accordingly.

To impose distinctive Mark on Foreign Plate assayed.

24. All Gold and Silver Plate which shall be imported from Foreign Parts, and which shall be sent to any Assay Office in the United Kingdom at which Gold and Silver Plate is now or shall at any Time hereafter be by Law required to be assayed, and which when so sent shall be then assayed, tested, stamped, and marked, shall, in addition to the Marks for the Time being used at such Assay Office

Office for the Purpose of marking *British* Plate, be marked with the further Mark of the Letter F on an oval Escutcheon, in order to denote that such Gold or Silver Plate was imported from Foreign Parts, and was not wrought or made in *England*, *Scotland*, or *Ireland*; and the Wardens and Officers in such and every such Assay Office, and the Persons employed by them, shall have Power to impress and mark, and shall impress and mark, such further and additional Mark, before such Plate shall be delivered out from such Assay Office.

Stores for Vessels departing from the Channel Islands.

25. The Commissioners of Customs may from Time to Time establish Regulations as to the Quantities, Custody, and Disposal of Tobacco, Spirits, and Tea to be used as Stores by the Master, Crew, and Passengers of any Vessel about to depart from the Channel Islands to any Port in the United Kingdom, or to any Fishing Grounds at Sea, having regard to the Time that will be occupied in the contemplated Voyage, the Tonnage of the Vessel, and the Number of her Crew and Passengers, the Particulars of such Stores to be noted on the Clearance of the Vessel; and if they or any Part thereof be landed in the United Kingdom from the said Vessel contrary to the Regulations so established, or without the Knowledge or Permission of the proper Officer of the Customs, they shall be forfeited, and the Master of such Vessel shall, on Proof of any such Landing or Unshipment, forfeit the Penalty of Twenty Pounds.

Goods the Growth or Manufacture of Isle of Man may be imported into Great Britain or Ireland on Certificate, &c. 18 & 19 Vict. c. 96.

26. Any Goods the Growth of the *Isle of Man*, or there manufactured from Materials the Growth of the said Isle, or from Materials not subject to Duties in *Great Britain* or *Ireland*, or from Materials upon which the Duty has been paid in *Great Britain* or *Ireland*, and upon which no Drawback has been subsequently granted, may be brought from the said Isle into *Great Britain* or *Ireland* without Payment of any Duty: Provided always, that any Goods may nevertheless be charged with such Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Sort of Goods the Produce of that Part of *Great Britain* or *Ireland* into which they shall be brought or payable upon any of the Materials from which such Goods are manufactured; and any Articles either wholly or in part manufactured in the said Isle from any Materials upon which a higher Duty is payable upon their Importation into *Great Britain* or *Ireland* than on their Importation into the *Isle of Man* may be brought from the said Isle into *Great Britain* or *Ireland* on Payment of the Duty payable on such Goods in that Part of *Great Britain* or *Ireland* into which they shall be so brought.

Parts of Acts set forth in Schedule repealed.

27. The several Parts of Acts set forth in the Schedule to this Act annexed are hereby repealed to the Extent to which the same are by such Schedule expressed to be repealed.

28. This

Registry in Channel Islands.

28. This Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Commencement of Act.

Short Title.

29. This Act shall come into operation on the Day of the passing thereof; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Amendment Act, 1867."

SCHEDULE of Parts of Acts to be repealed.

Date of Act.	Title of Act.	Extent of Repeal.
16 & 17 Vict. c. 107.	"The Customs Consolidation Act, 1853."	So much of the Table of Prohibitions and Restriction Inwards of Section 44. as relates to Parts of Articles as therein described, and so much of the said Table as relates to Silk and Manufactures of Silk as therein also described, and so much of the Second Division of the said Table as permits Goods therein mentioned to be imported in Transit.
,, ,,	,, ,,	Sections 65, 79, 143, 176, 177, and 178.
,, ,,	,, ,,	The following Words in Section 234, viz., "or of any Tea or Silk, such "Tea or Silk being of the Value "of Ten Pounds or upwards," and "or of any such Tea or Silk."
,, ,,	,, ,,	So much of the Table of Prohibitions containing the Words "or in Glass "Bottles or Stone Bottles not "exceeding the Size of Three "Pint Bottles, and being really "Part of the Cargo of the import- "ing Ship, and duly reported."
,, ,,	,, ,,	So much of the 130th Section of "The Customs Consolidation Act, 1853," as requires a Comptroller of Customs to join with the Collector in preparing and making the Debentures and Certificates therein prescribed.
,, ,,	,, ,,	The Words "if she have any such "Stores on board," in the last Paragraph of Section 145.
18 & 19 Vict. c. 96.	"The Supplemental Customs Consolidation Act, 1855."	Sections 12 and 23.
23 & 24 Vict. c. 110.	"The Customs Duties Consolidation Act, 1860."	So much thereof as imposes a Duty of 1*l.* 1*s.* per Pair on the Importation of Dice.

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Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except as to the Eighth Section, and as to the last Paragraph of the Provisional Order for partially repealing and amending the *Malvern* Local Acts; and there shall be substituted for the said Eighth Section the Words "The Sections numbered respectively 17 to 26 " and 29 to 40, all inclusive, of the Second herein-before recited " Local Act, are repealed;" and there shall be substituted for the last Paragraph of the said Order the Words "of the Local Act, " Twenty-first and Twenty-second *Victoria*, Chapter Thirty-one, " (intituled the *Malvern* Improvement Amendment Act, 1858,) " the Sections numbered respectively 1 to 16, both inclusive, 27 " and 28."

Isle of Wight Roads, &c. Act (53 G. 3. c. xcii.) repealed as to District of Newport.

2. The Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for amending the Roads and Highways in the* Isle of Wight, shall be repealed so far as it relates to that Portion of the District of the Borough of *Newport* within which that Act is now in force: Provided always, that it shall be lawful for the Commissioners acting under and in execution of such Act to levy Tolls at their Gate within such Borough until the Thirty-first Day of *December* One thousand eight hundred and sixty-eight: Provided also, that nothing herein contained shall affect or prejudice the Powers of the Commissioners acting in the Execution of the said Act under or by virtue thereof to remove, sell, dispose of, and convey all their said Turnpike Gate and Toll Bar known as the *New Village* Gate, and the Toll House there and the Site thereof, and the Appurtenances.

Lighting Contract with Sir A. W. Hillary, Bart., to be carried out by Newport Local Board.

3. The Mayor, Aldermen, and Burgesses of the District of the Borough of *Newport* in the *Isle of Wight*, acting as the Local Board in such District, shall (any Provisions of the Local Government Act, 1858, as to lighting to the contrary notwithstanding) carry out the Contract or Covenant entered into by such Mayor, Aldermen, and Burgesses with Sir *Augustus William Hillary*, Baronet, by Indenture bearing Date the Twenty-first Day of *January* One thousand eight hundred and fifty-two, for the Term of Twenty-one Years from the First Day of *January* One thousand eight hundred and fifty-two, for lighting the said District with Gas; and all Expenses incurred in so doing by such Mayor, Aldermen,

and

and Burgesses, acting as such Local Board as aforesaid, shall be defrayed out of the General District Rates levied by them as such Local Board.

Repeal of 40th Section of Tunbridge Wells Water Act, 1865.

4. The Fortieth Section of "The *Tunbridge Wells* Water Act, 1865," shall be and is hereby repealed.

Power to the Earl of Abergavenny, &c. to sell.

5. The *Tunbridge Wells* Improvement Commissioners shall purchase, and *William* Earl of *Abergavenny*, his Heirs or Successors in Estate, on behalf of himself and themselves and of all other Persons interested, and of Her Majesty the Queen, Her Heirs and Successors, shall sell, free from all Incumbrances (except and accordingly subject to the Interest, Claims, and Demands of the *Tunbridge Wells* Water Company, their Under-tenants and Assigns, if any), the Fee Simple and absolute Property of and in all those Parts of the Undertaking, Waterworks, Reservoirs, Lands, Houses, and other Works, Mains, Conduits, Pipes, Plant, Stock, Rights, Powers, and Privileges of the said *Tunbridge Wells* Water Company which the said Earl as Freeholder or Reversioner is entitled to or interested in, and which the said *Tunbridge Wells* Water Company, as Lessees for Years, Grantees, Tenants, or Occupiers at Will or by Sufferance, or other derivative Title, from, through, or under the said Earl, are possessed of or entitled to, and have not permanently abandoned or disused, at or for the Price or Sum of Three thousand three hundred and thirty-eight Pounds Sterling, to include Compensation for all Damage or Injury (if any) occasioned by Severance or otherwise to adjoining Lands whereof the said Earl is seised in Tail Male or otherwise, but not to include Compensation for any Damage or Injury which may be occasioned to the Tenants or Occupiers for the Time being of Land an Easement only in, through, or under which shall be so purchased and sold, by reason of the Inspection, Renewal, or Repair from Time to Time of the Works of the said Commissioners.

Purchase Money to be paid into Bank of England, and invested, &c.

6. The said Sum of Three thousand three hundred and thirty-eight Pounds shall upon the passing of this Act be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in *England*, to be placed to the Account of the Queen's most Excellent Majesty and of the Person for the Time being entitled to the Rents and Profits of Estates settled to the like Uses as the Hereditaments of which the Sale is authorized by the last preceding Section, and such Sum shall remain so deposited until the same shall be applied by Direction of the Court of Chancery in the Purchase or Redemption of Land Tax affecting Land settled to the like Uses as the Land

the Sale of which is hereby provided, or in the Purchase of Land of Fee Simple Tenure and convenient to be held with the Estates now or hereafter to be settled upon the like Uses as aforesaid; and until such Application of the said Sum it may by the Accountant General of the Court of Chancery, under Order of the Court, to be made upon Application thereto, after Notice to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, be from Time to Time invested in the Name of the Accountant General in the Purchase of or upon Government or Real Securities to the Account aforesaid; and in the meantime and until such Securities be sold or realized pursuant to any Order of the Court for either of the Purposes aforesaid, the Income thereof shall be paid by the Accountant General under Order of the Court to the Person who for the Time being may be entitled to the Rents and Profits of the Estates settled or to be settled as aforesaid.

Settlement of Lands to be purchased therewith.

7. Any Land to be purchased with the said herein-before recited Sum of Three thousand three hundred and thirty-eight Pounds, or any Part thereof, shall be settled to such Uses, upon such Trusts, and subject to such Powers and Provisions as will most nearly correspond with the Uses, Trusts, Powers, and Provisions which immediately before the passing of this Act affected the Hereditaments the Sale whereof is hereby provided, and all such Uses, Trusts, Powers, and Provisions shall be valid and have full Effect, any Law to the contrary notwithstanding.

Memorials to be entered with Keeper of Land Revenues.

8. The Keeper of Land Revenue Records and Inrolments shall for the Purpose of preserving a Record of the said Sale by this Act authorized cause to be entered in a Book in his Office a Memorial of the Deed of Conveyance, Transfer, or Assurance made by virtue of this Act, and of any Deed of Conveyance which shall be executed upon the Purchase of Land with Monies arising from the Sale (such Memorial being in every Case accompanied by a Plan of the Land purchased), and every such Memorial shall be under the Hand of One of the Parties to the Deed of Conveyance, and no such Deed shall have effect until there be written thereon a Certificate, signed by the Keeper of Land Revenue Records and Inrolments, that a Memorial thereof hath been lodged at the Office of Land Revenue Records and Inrolments, and in the Absence of Evidence to the contrary of the Fact stated therein such Certificate shall be admissible in Evidence in any Court of Justice or before any Person now or hereafter having by Law or by Consent of Parties Authority to hear, receive, or examine Evidence without Proof of the Signature thereto, or of the Fact that the Person signing or purporting to sign the same is the Keeper of Land Revenue

Revenue Records and Inrolments for the Time being, and a Copy of the Enrolment of the Memorial, certified in the Manner provided by an Act passed in the Sixteenth Year of the Reign of Her present Majesty, Chapter Sixty-two, Section Eight, shall be receivable as Evidence of the Deed or Facts referred to in such Memorial.

Costs to be regulated by Lands Clauses Act.

9. The Provisions of The Lands Clauses Consolidation Act, 1845, "with respect to the Conveyances of Lands," and also the Eightieth Section of that Act, "with respect to Costs in Cases of Money deposited," shall respectively apply to the Sale and Purchase authorized by the Fifth Section of this Act, and to the said Purchase Money or Sum of Three thousand three hundred and thirty-eight Pounds, and for such several Purposes the *Tunbridge Wells* Improvement Commissioners shall be deemed to be "the Promoters of the Undertaking."

Power of Exchange between the Earls of Abergavenny and the Tunbridge Wells Improvement Commissioners.

10. It shall be lawful for the Earl of *Abergavenny* for the Time being, on behalf of himself and his Heirs and Successors in Estate, and of Her Majesty the Queen, Her Heirs and Successors, from Time to Time to grant to the *Tunbridge Wells* Improvement Commissioners or their Successors, in trust for the Purposes of the *Tunbridge Wells* Water Act, 1865, any Land, or any Easement in, under, over, or upon any Land, being respectively Part or Parcel of the Estates whereof or whereto such Earl is seised or entitled in Tail Male under the Act of the Second and Third Years of the Reign of King *Philip* and Queen *Mary*, intituled *An Act concerning the Restitution of the Heirs Male of Sir* Edward Nevill, *Knight*, in exchange for any other Land or any other Easement respectively belonging to the said Commissioners, and as to such Land convenient to be held with or as to such Easement desirable to be extinguished, for the Use or Enjoyment of any other Part or Parcel of the said Estates, and to take any Money by way of Equality upon any such Exchange; but every such Grant by way of Exchange of any Land or of an Easement in, under, over, or upon any Land to the Possession of which respectively any Person other than the Earl making the same Grant shall be entitled in Priority to such Earl shall take effect in subservience and without Prejudice to such prior Title; and all Money which shall be given by the said Commissioners for Equality upon any such Exchange shall be paid into the Bank of *England*, and applied by Direction of the Court of Chancery as herein-before by this Act provided with reference to the aforesaid Sum of Three thousand three hundred and thirty-eight Pounds; and all Land which shall be given up by the said Commissioners upon any such Exchange shall be settled as herein-

herein-before by this Act provided with reference to Land to be purchased with the last-mentioned Sum, or as near thereto respectively as Circumstances will admit of, and all Easements which shall be given up by the said Commissioners upon any such Exchange shall be forthwith extinguished.

Application of Profits on temporary Investments of Monies borrowed under the Tunbridge Wells Water Act, 1865.

11. All Dividends, Interest, and Income which have arisen and shall arise from the temporary Investment by the *Tunbridge Wells* Improvement Commissioners of Monies already or hereafter borrowed by them on Mortgage for any of the Purposes of and under any of the Powers contained or referred to in the *Tunbridge Wells* Water Act, 1865, and all Accretions (if any) of Capital gained by or upon the Sale or other Realization of any such temporary Investment, shall be applicable and may be applied by the said Commissioners in or towards Payment of the Interest of the Monies so borrowed on Mortgage, or any of them.

As to making of Estimate required under 72nd Section of the Tunbridge Wells Water Act, 1865.

12. In ascertaining or settling from Time to Time the Sums to be included pursuant to the Seventy-second Section of the *Tunbridge Wells* Water Act, 1865, in the Amount of the General District Rate, and of the Estimates of the Money required for the Purposes thereof, regard shall be had to, and proper Allowances or Deductions shall be made in respect of, ascertained or estimated Balances of the Waterworks Fund for the Time being applicable to the Payment of the Mortgage Monies and the Interest thereon and the Sinking Fund for the Discharge thereof in the said Seventy-second Section respectively mentioned.

Regulation of Water Supply.

13. Within the District of the *Tunbridge Wells* Local Board under the Local Government Act, 1858, and the Acts incorporated therewith, the Supply of Water shall be turned on for at least Two Hours *per* Day on every Day throughout the Year in all Parts of such District as can be supplied by Gravitation from the Service Reservoirs, but when for the Purposes of such Supply the Use of a Stand Pipe is necessary, then the Local Board shall not be compellable to give a Supply on more than Three Days in the Week.

Requisition for constant Supply of Water.

14. The said *Tunbridge Wells* Local Board, on receiving a Requisition signed either by a Majority of the Persons paying Water Rates to the said Local Board or by Consumers who taken together pay more than Half the whole Amount of Water Rates payable to such Local Board, requiring that Water shall be constantly laid on and supplied within such District from the Works of the said Local Board, shall be bound to comply with the Terms of such Requisition within Six Calendar Months from the Date of the Receipt thereof,

as

as far as such constant Supply can be given by Gravitation from the present Service Reservoirs.

As to covering Tank and Deodorization of Sewage of Harrow District.

15. The Local Board of Health in and for the District of *Harrow* in the County of *Middlesex* shall well and effectually cover over, and at all Times keep so covered over, any Sewage Tank, Reservoir, or other Works to be constructed on the Pieces of Land described in the Schedule to the *Harrow* Order in this Act contained and thereby proposed to be purchased, and shall at all Times in the Removal and Dispersion of Sewage Matter from any such Tank, Reservoir, or Works adopt such Means, by Deodorization or otherwise, for the Purpose of neutralizing any Nuisance which might otherwise arise therefrom as shall from Time to Time be agreed upon by the respective principal Engineers for the Time being of the *London and North-western* Railway Company and of the aforesaid *Harrow* Local Board of Health, or in the event of their not agreeing then as shall be determined by an Engineer to be appointed by the Board of Trade on the Application of either the Railway Company aforesaid or of the said Local Board of Health; and all such Works and Acts shall be in all things at the Expense of the said Local Board of Health, but the Costs of any such Reference shall be in the Discretion of such Engineer so to be appointed as aforesaid.

Act incorporated with 21 & 22 Vict. c. 98.

16. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

17. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867 (No. 5.)"

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. RAMSGATE.—Altering a Local Act.
2. TUNBRIDGE WELLS.—Altering the Tunbridge Wells Water Act, 1865, in force within the District of the Tunbridge Wells Improvement Commissioners.
3. BOGNOR.—Altering Local Acts in force in the District of the Bognor Local Board.
4. NEWPORT.—Repealing a Local Act in force in the District of the Newport Local Board.
5. CHESTERFIELD.—Repealing a Local Act in force in the District of the Local Board.
6. MALVERN.—Repealing Parts of and amending the Malvern Local Acts, and vesting in the Local Board the Property and Powers of the Commissioners under those Acts.
7. GREAT HARWOOD.—Extending borrowing Powers of the Great Harwood Local Board.
8. HARROW.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Harrow Local Board of Health District, for the Purchase and taking of Lands by the said Board otherwise than by Agreement, for purposes of Sewage Irrigation.

RAMSGATE.

Provisional Order altering a Local Act in force within the District of the Local Board in and for the District of Ramsgate in the County of Kent.

WHEREAS the Commissioners for improving the Parish of Ramsgate in the County of Kent, acting as the Local Board in and for the District of Ramsgate, have, in pursuance of the provisions of the 77th section of the Local Government Act, 1858, presented a Petition under their seal, and under the hands of five of the members of the said Board, to me as one of Her Majesty's Principal Secretaries of State, praying for a partial repeal and alteration of an Act of Parliament passed in the first and second years of the reign of Her present Majesty, intituled "An Act for better paving, lighting, "watching, and improving the Parish of Ramsgate in the County of Kent, "and for regulating the police thereof," and herein-after called the Local Act:

And whereas on the receipt of such Petition I, as one of Her Majesty's Principal Secretaries of State, have taken the same into consideration:

Now,

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The following words shall be added to the fifth section of the said Local Act at the end of such section: "Provided also, that all notices given "or to be given as herein-before provided shall be sufficient and be "deemed to be sufficient if so given by the Clerk."

2.—Section 29 of the said Local Act shall be repealed.

3.—So much of the 81st and 82nd sections of the Local Act aforesaid as relates to the licences of bathing machines shall continue in force and unrepealed, notwithstanding and after the making of byelaws under the 68th section of the Town Police Clauses Act, 1847, and after such byelaws shall have come into operation.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

TUNBRIDGE WELLS.

Provisional Order partially repealing and altering Part of the Tunbridge Wells Water Act, 1865, in force within the District of the Board of Tunbridge Wells Improvement Commissioners.

WHEREAS the Board of Tunbridge Wells Improvement Commissioners, acting as a Local Board under the powers of the Local Government Act, 1858, have, in pursuance of the said Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the amendment of a certain Act of Parliament in force within their District, having relation to the purposes of the said Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the twenty-eighth and twenty-ninth years of the reign of Queen Victoria (28 & 29 Vict. cap. 204.), intituled, the Tunbridge Wells Water Act, 1865:

And whereas in pursuance of the said Local Government Act inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and held by Arnold Taylor, Esquire, the Inspector appointed for the purpose, and he has reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The sixty-second section of the herein-before recited Tunbridge Wells Water Act, 1865, shall be amended, by substituting the words "one

hundred thousand pounds" for "eighty thousand pounds" as the amount of money which the aforesaid Commissioners may raise on mortgage under that Act.

2.—The sixty-ninth section of the said Act shall be amended as follows:

The commencement of the Sinking Fund to be formed in pursuance of the said section shall be postponed from the First day of January One thousand eight hundred and seventy-one, being the date specified in the said section, until the First day of January One thousand eight hundred and seventy-three, and the amount therein directed to be first set aside for the purpose of that fund shall be reduced from one one-hundredth to one two-hundredth part of the mortgage debt, with a larger sum in every succeeding year by five pounds per centum than in the then preceding year, until the whole of the monies borrowed by the said Commissioners under the said Water Act be paid off.

3.—In addition to any other monies which under the Public Health Act, 1848, the Local Government Act, 1858, or the said Water Act, the aforesaid Commissioners may borrow, they are hereby authorized and empowered to raise money on mortgage of the lands, works, or plant of either the Frant or the Calverley Waterworks from time to time as they may deem expedient, and to apply the monies thereby raised in satisfaction of all or any of the purposes mentioned in Paragraph "A" of the 74th Section of the said Water Act: Provided always, that no such mortgage shall be of any force or validity until the sanction of one of Her Majesty's Principal Secretaries of State has been first had and obtained thereto.

4.—The thirty-third section of the said Water Act shall be amended by omission of the words "duly stamped," so that the respective conveyances, assurances, confirmations, and assignments already or hereafter to be executed by or to the said Commissioners of the undertaking and works of the Calverley and Tunbridge Wells Water Companies, or either of them, and of the reversionary interests of the Earl of Abergavenny and the Crown, or either of them, in the Tunbridge Wells Company, and any collateral deed or deeds of covenant or other deeds connected therewith, be exempted from stamp duty in accordance with the provisions of the 151st section of the Public Health Act, 1848.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

BOGNOR.

Provisional Order partially repealing and altering Parts of Local Acts in force within the District of the Bognor Local Board.

WHEREAS the Local Board in and for the District of Bognor in the County of Sussex, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries

Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, the Act—

(1.) 3 Geo. 4. c. lvii., intituled "An Act to establish a market for the sale "of butcher's meat, and to repair and amend certain roads, in the "town or tithing of Bognor in the county of Sussex:"

(2.) 6 Geo. 4. c. cxxxv., intituled "An Act to amend an Act passed in the "third year of the reign of His present Majesty, intituled 'An "Act to establish a market for the sale of butcher's meat and other "articles, and to repair and amend certain roads, in the town or "tithing of Bognor in the county of Sussex,' and for making a road "along the sea coast, and for otherwise improving the said town or "tithing:"

(3.) 5 & 6 Will. 4. c. ci., intituled "An Act for paving, lighting, watching, "and otherwise improving the town of Bognor in the county of "Sussex, and for amending and enlarging two Acts of Parliament "passed in the third and sixth years of the reign of His late Majesty "King George the Fourth relating to the said town:"

And whereas, in pursuance of the said Local Government Act, 1858, and after full consideration of the several matters mentioned in the said Petition, and of the report thereon made to me by Robert Morgan, Esquire, the Inspector appointed for the purpose, it appears expedient to issue a Provisional Order in relation to the said matters; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said herein-before recited Local Acts shall be repealed; that is to say,

3 Geo. 4. c. lvii. ss. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 44, 46, 48, 49, 50, 51, 52, 53, 56, 57, 58, 60, 61, 62, 63, 64, 65, 67.

6 Geo. 4. c. cxxxv. ss. 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, and the Schedule to the said Act.

5 & 6 Will. 4. c. ci. ss. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and the latter portion of s. 23 (beginning with the words "Provided that on the various matters" to the end of the Section), also sections 28 to 110, both inclusive, 112, 113, 114, 115, 117, and the Schedule to the said Act.

2.—That the following sections be modified, 3 Geo. 4. c. lvii. s. 45., by charging on the tolls therein mentioned a fixed proportion of the salaries of the officer of the Local Board instead of the appropriation for payment of salaries therein contained: Also,

3 Geo. 4. c. lvii. s. 55., by omission of the words "to be levied, recovered, paid, and applied in manner herein-after mentioned:" Also,

5 & 6 Will. 4. c. ci. s. 25., by omission of the words "at any general or special meeting:" And,

5 & 6 Will. 4. c. ci. s. 27., by omission of the words "within fifty feet in any direction from the most northern part of any groin, wall, sea defence, breakwater, jetty, pier, or other work now erected, or which shall or may be hereafter erected, in or upon the said beach or shore," and by inserting after the words "under this Act" the words "or of their surveyor for the time being."

3.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Acts shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Acts, which, in case this Order had not been made and confirmed, would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

4.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners.

5.—All debts, liabilities, monies, and securities for money contracted or payable by such Commissioners shall be charged upon the rates leviable under the said Local Government Act, 1858, and be paid and satisfied by the said Local Board out of such rates accordingly.

6.—That, with the above modifications, the remaining unrepealed portions of the said Local Acts and the said Public Health Act, and the Acts incorporated therewith, shall be incorporated, read, and construed as one Act applicable to the said District of Bognor.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

NEWPORT.

Provisional Order repealing a Local Act in force within the District of the Newport Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Newport in the Isle of Wight, acting as the Local Board in such Borough, wherein the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Spencer Horatio Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District of the Borough aforesaid, the Boundaries of such District being those of the Borough defined by 2 & 3 Will. 4. c. 64. in the Schedule O. to that Act, No. 37, except such Parts of the said Borough as are comprised within the Districts of East Cowes and West Cowes respectively under the Local Government Act, 1858, and the Acts incorporated therewith, the said Local Act having relation to the purposes of the said Local Government Act, and not conferring powers

powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the twenty-sixth year of the reign of King George the Third, intituled "An Act for paving, repairing, cleansing, lighting, and "watching the streets, lanes, ways, passages, and places within the Borough "of Newport in the Isle of Wight, and for the removal of present and "prevention of future encroachments, nuisances, and annoyances therein:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition, and report made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order–

1.—The herein-before recited Local Act passed in the twenty-sixth year of King George the Third shall be wholly repealed, and the powers, authorities, and duties of the Commissioners under the same Act now vested in the said mayor, aldermen, and burgesses shall cease and determine.

2.—All the property and estate of the Commissioners under the said recited Act passed in the twenty-sixth year of King George the Third, and of the said Mayor, Aldermen, and Burgesses acting by virtue of the transfer in the execution of such Act to them, be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act passed in the twenty-sixth year of King George the Third may be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the said Local Act remained in force, and if such property and estate shall be insufficient for that purpose, then that the said debts and liabilities be satisfied as debts and liabilities incurred under the Local Government Act, 1858, and that the said Local Board, with such sanction as is required by the said Local Government Act for the borrowing of other sums by the said Local Board, may have power to borrow such sums as shall be requisite to discharge the said debts and liabilities.

4.—All arrears of rates or monies that are now due and owing to the said Mayor, Aldermen, and Burgesses acting under the herein-before recited Local Act passed in the twenty-sixth year of King George the Third may be transferred and paid over to the said Local Board on or before the First day of January One thousand eight hundred and sixty-eight, and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates now remaining unpaid as are now vested in the said Mayor, Aldermen, and Burgesses under the said herein-before mentioned Local Act.

Given under my hand this Eighth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

CHESTERFIELD.

Provisional Order repealing a Local Act in force within the District of the Chesterfield Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Chesterfield in the County of Derby, by the Council of the Borough, acting as the Local Board in and for the said Borough, being a District within which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the Local Government Act, 1858, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the sixth year of the Reign of King George the Fourth (6 Geo. 4. cap. 77.), intituled "An Act for lighting the Town and "Borough of Chesterfield in the County of Derby:"

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said herein-before recited Local Act shall be repealed.

2.—All contracts for lighting, debts, and liabilities under the said Local Act existing at the time of the passing of the Act confirming this Order shall be binding on and be satisfied by the said Local Board.

3.—All arrears of rates or monies that may be due and owing to the Commissioners acting under the said Local Act at the date of the passing of the Act confirming this Order shall be transferred and paid over to the said Local Board, and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates remaining unpaid after the passing of the said Act confirming this Order as were vested in the said Commissioners under the said Local Act.

Given under my hand this Seventh day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

MALVERN.

Provisional Order in pursuance of Section 77 of the Local Government Act, 1858, for repealing Parts of and amending the Malvern Local Acts, and vesting in the Local Board the Property and Powers of the Commissioners under those Acts.

WHEREAS the Commissioners for putting in execution the Malvern Improvement Act, 1851 (herein-after called the first Local Act), and the Malvern Improvement Amendment Act, 1858, (herein-after called the second Local Act),

Act), have duly adopted for that part of the Parish of Great Malvern in the County of Worcester which is within the limits set forth and described in the first Local Act the Local Government Act, 1858, except sections 54 and 55 and 56 thereof:

And whereas the Commissioners acting as the Local Board for the Malvern District have, in pursuance of section 77 of the Local Government Act, 1858, presented to one of Her Majesty's Principal Secretaries of State a Petition praying that the two Local Acts aforesaid, being Acts in force within the Malvern District having relation to the purposes of the Local Government Act, 1858, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, should be in part repealed and in part amended, and other provisions should be enacted, and a Provisional Order for the purpose, under section 77 of the Local Government Act, 1858, should accordingly be made:

And whereas, in pursuance of the Local Government Act, 1858, inquiry has been made in the Malvern District by Arnold Taylor, Esquire, the Inspector appointed for the purpose, and he has reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to these matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order the provisions following shall have effect as follows; that is to say,

1.—The provisions following shall have effect on and after the third Wednesday next after the day of the passing of the Act confirming this Order, and the words "now" and "henceforth" and "hereafter" and other like words in the provisions following have reference to that third Wednesday; and the whole of the Local Government Act, 1858, shall henceforth have full force and effect within the aforesaid District of Malvern.

2.—Sections 4 to 12 and 15 to 23, all inclusive, 34, 37, 39, 41, and 44, and 53 to 59, both inclusive, of the first Local Act herein-before recited, are repealed.

3.—The Commissioners Clauses Act, 1847, and the Lands Clauses Consolidation Act, 1845, are no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

4.—The Towns Improvement Clauses Act, 1847, except the sections thereof numbered 13 to 18, 20, 21, 33 and 46, and 95 to 98, 101, 102, 106, 132, 133, 142, and 146 to 155, all inclusive, is no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

5.—The Town Police Clauses Act, 1847, except the sections thereof 7 to 9 and 14 to 20, all inclusive, is no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

6.—Sections 76 to 94, both inclusive, of the Waterworks Clauses Act, 1847, are no longer to be taken to be incorporated with or to form part of the said first Local Act.

7.—Sections

7.—Sections 36 to 50, both inclusive, of the Gasworks Clauses Act, 1847, are no longer to be taken to be incorporated with or to form part of the said first Local Act.

8.—Sections 17 to 26 and 29 to 40, all inclusive, of the second herein-before recited Local Act are by this Order repealed.

9.—The aforesaid Local Acts shall, with respect to the said Malvern District, be read and have effect with the Local Government Act, 1858, as if the same Acts were one Act.

10.—The expressions "the Commissioners" and "the Undertakers" in the two aforesaid Local Acts respectively mean the Local Board for the said District of Malvern; and twelve Commissioners appointed under the first herein-before recited Local Act, and their successors qualified and appointed in accordance with this Order, shall be the Local Board for the said Malvern District; and,

(*a.*) The number of the members of the said Local Board shall be twelve.

(*b.*) For the purpose of rotation the first members of the Local Board shall go out of office in the order in which they were elected under the said first Local Act.

(*c.*) The members of the said Local Board shall retire in rotation in the month of April yearly.

(*d.*) The first retirement in rotation shall be in the month of April 1868.

(*e.*) Every member retiring in rotation shall, if qualified, be re-eligible.

(*f.*) The yearly election for supplying vacancies in the Local Board shall be held on the second Friday in April yearly.

(*g.*) The first yearly election shall be on the second Friday in April 1868.

The qualification of a member of the said Local Board shall be as follows:

(*a.*) Being rated to the relief of the poor of the parish of Great Malvern in respect of property within the limits of the aforesaid Malvern District in the yearly sum of fifty pounds or upwards; or

(*b.*) Being seised or possessed of an estate of freehold or of the rents and profits of property within the Malvern District of the yearly value of 30*l.* or upwards.

11.—For the execution of the Acts from time to time in force with respect to the removal or prevention of nuisances, and to the well ordering of common lodging houses, and for the purposes of the Sewage Utilization Act, 1865, and the Sanitary Act, 1866, respectively, the Local Board shall be the Local Authority; and every officer and servant appointed by virtue of or acting under the aforesaid Local Acts, or either of them, shall hold and enjoy his office and employment, with the salary and emolument thereunto annexed, and be deemed to be an officer or servant of the said Local Board until he resign or be removed in manner prescribed by the Local Government Act, 1858; and all bonds, securities, contracts, and agreements given and made by those officers and servants respectively to and with the Commissioners shall continue to be in force and be available in like manner

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in all respects as if they were given and made respectively to and with the Local Board aforesaid.

12.—All lands, buildings, works, and interests in lands and other estates and property of the Commissioners under the aforesaid Local Acts are and shall be taken to be, by this Order and the Act confirming the same, transferred to and vested in the Local Board aforesaid, subject to all mortgages, charges, incumbrances, and liabilities affecting the same, or affecting the Commissioners in respect of the same, and shall be held and dealt with by the Local Board for, as nearly as circumstances will permit, the same purposes as by the Commissioners aforesaid.

13.—All rates, rents, and other monies due under the aforesaid Local Acts respectively to the said Commissioners are, by this Order and by the Act confirming the same, vested in, and shall be paid to, and be recoverable and received by the said Local Board, and shall be applied as if the same were levied or became due under the Local Government Act, 1858; and all powers, authorities, rights, and privileges which, under or by virtue of any Act of Parliament, deed, assurance, or contract, are vested in the said Commissioners, shall, by this Order and the Act confirming the same, be transferred to and vested in the Local Board aforesaid.

14.—The benefit and burden of all contracts entered into by or with the said Commissioners for any of the purposes of the Local Acts aforesaid, and in force, shall, by this Order and the Act confirming the same, be transferred to and vested in the Local Board aforesaid; and all mortgages, securities, debts, and monies which under the said Local Acts are due or recoverable from or payable by the Commissioners aforesaid shall be due and recoverable from and payable and paid by the said Local Board in like manner as if such Local Board were the Commissioners; and the mortgages may be transmitted and transferred as if they were mortgages granted by the said Local Board; and no mortgagee or creditor of the Commissioners aforesaid shall be in any way prejudiced by the adoption by such Commissioners of the Local Government Act, 1858, or by this Order. Excepting always as regards the waterworks rate, wherever in any of the unrepealed sections of the aforesaid Local Acts any rate is mentioned, the "general district rate" provided for by this Order shall be taken to be meant, and shall be substituted accordingly.

15.—Instead of the general improvement rate, highway rate, and the general sewer rate by the said first Local Act authorized, there shall henceforth be made and levied by the Local Board aforesaid one rate, to be called "The general district rate," which shall be made and levied in the manner provided by the Local Government Act, 1858; and the general district rate, under this Order and the Act confirming the same, may and shall be applied by the said Local Board for the purposes for which, under the herein-before recited Local Acts, the general improvement rate, and the general sewer rate, and the highway rate respectively were applicable, as well as for the purposes for which any general district rate made under the Local Government Act, 1858, is applicable; excepting always that no part thereof shall be applied for waterworks or for a supply of water in such district of

Malvern; and, excepting also as by this Order is otherwise directed, all the provisions of the Local Government Act, 1858, with respect to appeal against any rate, extend and apply to any rate which, in pursuance of this Order, is made under any of the provisions of the Local Acts aforesaid.

16.—For the purposes expressed in section 50 of the first herein-before recited Local Act, and for the necessary extension, from time to time, of the gasworks, and subject to the provisions of the Local Government Act, 1858, the said Local Board, from time to time, may borrow on mortgage of their gasworks, apparatus, and buildings, and the income and profits arising therefrom, and the general district rate by this Order authorized, such monies as the Local Board from time to time require for those purposes. And further, subject nevertheless to sections 132 and 133 of the Towns Improvement Clauses Act, 1847, the said Local Board may let on lease to any person their gasworks, apparatus, buildings, and lands, under section 50 of the first herein-before recited Local Act, for such a term, not exceeding twenty-one years, and at such rent, and upon such terms and conditions with respect to repairs, maintenance, or otherwise, as are agreed on, so as there be contained in the lease or agreement for letting a covenant or agreement by the lessees or tenants that they will, to the reasonable satisfaction of the Local Board, do whatsoever is requisite for supplying the inhabitants of the aforesaid Malvern District with gas at one uniform charge, not exceeding the rate of 6*s.* 6*d.* for 1,000 cubic feet, and for lighting the streets, passages, and public places within the said Malvern District at one uniform charge, at a rate mutually agreed on and expressed in the lease or agreement; provided always, the net rent payable under any such letting or lease shall fall into and be part of the general district rate under this Order and the Act confirming the same.

17.—All proceedings before any justice or justices for the recovery of any rate, damage, or penalty made payable, levied, or imposed under any of the provisions of the unrepealed sections of the Local Acts, or with respect to the Malvern District, under the provisions of the Local Government Act, 1858, or any byelaw made thereunder, in which the mode of proceeding is not specially prescribed by the Local Government Act, 1858, shall be taken under the Act of the session of the 11th and 12th years of Her present Majesty, chapter 43, intituled "An Act to facilitate the performance of the "duties of Justices of the Peace out of sessions within England "and Wales with respect to summary convictions and orders."

18.—The provisions of the Act of the session of the 12th and 13th years of Her present Majesty, chapter 14, intituled "An Act to enable "overseers of the poor and surveyors of highways to recover the "costs of distraining for rates," apply henceforth to rates levied under the unrepealed sections of the first Local Act, and to rates levied in pursuance of this Order respectively, and any complaint for the purposes of those provisions may be made by any Officer of the Local Board, and any warrant authorized by those provisions may be addressed to and served by any officer of the Local Board.

Section 4 of the Act of the session of the 11th and 12th years of Her present Majesty, chapter 44, intituled "An Act to protect "Justices of the Peace from vexatious actions for acts done by them "in the execution of their office," applies to cases where any rate is made in pursuance of this Order, and a warrant of distress issues against any person named therein.

Every person who commits within the Malvern District any of the offences following shall for every such offence be liable to a penalty not exceeding Forty shillings, which penalties, as well as the penalties imposed by section 33 of the first Local Act, shall be recoverable as by this Order provided; that is to say:—

(*a.*) Every person who in any street uses any threatening, abusive, or insulting words, or is guilty of any violent, indecent, or disgusting behaviour.

(*b.*) Every person who in any street affixes any posting bill or other paper against or upon any building, wall, door, gate, lamp post, tree, fence, or pale, or who writes upon, soils, defaces, or marks any building, wall, door, gate, lamp post, tree, fence, or pavement with chalk or paint, or in any other way whatsoever, or wilfully breaks, destroys, damages, or defaces any part of any building, wall, door, gate, lamp post, fence, or pale, or any fixture or appendage thereto, or any tree, shrub, or seat.

(*c.*) Every person, other than a licensed hawker, who in any street hawks, cries, vends, or exposes for sale any fish, game, fruit, goods, or other kind of merchandize whatever.

(*d.*) Every person who drives or acts as the driver of any waggon or cart down any hill with either or both of the wheels locked, and without having a skid pan or slipper at the bottom of each wheel during the whole time of its being so locked, and in such manner as to prevent the road from being destroyed or injured by the locking of the wheel.

(*e.*) Every person who, by himself, his agent, servant, or other, so negligently or carelessly works, manages, or uses any stone pit or quarry so as to cause to be sent, thrown, or hurled therefrom any stone, sand, or other material into or upon any street to the obstruction, damage, or annoyance of any passenger, or into, through, or upon any dwelling house or other private premises to the injury or damage of the same or of the inhabitants therein.

And the word "street" in this enumeration of offences includes public road, highway, thoroughfare, and other public place.

Notwithstanding section 113 of the General Highways Act of the session of the fifth and sixth years of William the Fourth, chapter 50, the provisions of that Act, so far as the same are not repugnant to the unrepealed sections of the Local Acts and the provisions of the Local Government Act, 1858, extend and apply to all highways and streets within the Malvern District.

Any householder within the Malvern District, personally, or by his servant, or by any police constable, may require any street musician or street singer to depart from the neighbourhood of the house of such

such householder on account of the illness or on account of the interruption of the ordinary occupations or pursuits of any inmate of the house, or for other reasonable or sufficient cause; and every person who sounds or plays upon any musical instrument, or who sings in any thoroughfare or public place, near to any such house after being so required to depart, shall be liable to a penalty not exceeding Forty shillings, or, in the discretion of the justice before whom he is convicted, may be imprisoned for any time not exceeding three days; and any police constable acting within the Malvern District may take into custody, without warrant, any person who so offends, if he be given into custody by the person making the charge. Provided that the person making a charge for an offence against this provision of this order shall accompany the constable who takes into custody any person so offending to the nearest police station-house, and there sign the charge sheet kept for the purpose.

Whenever any person charged with an offence under the last preceding provision of this Order is brought to any station-house during the time when the police court is shut, the constable in charge of the station-house may require the person making the charge to enter into a recognizance, conditioned as is provided by the next succeeding provision of this Order, and upon the refusal of the person to do so the constable may discharge the person so charged.

Every recognizance so taken shall be without fee or reward, and shall be conditioned for the appearance of the person thereby bound before a justice acting in the Malvern District at his next sitting, and the time and place of appearance shall be specified in the recognizance.

And the constable shall enter in a book kept for that purpose at the station-house the name, residence, and occupation of the person and his surety or sureties (if any) entering into the recognizance, together with the condition thereof and the sum thereby acknowledged, and shall return every such recognizance to the justice present at the time and place when and where the person is bound to appear.

Any police constable of the county of Worcester acting within the Malvern District may exercise the authority conferred on constables by section 15 of the Town Police Clauses Act, 1847.

The provisions of the Public Health Act, 1848, with respect to byelaws, extend to all byelaws made under the Local Acts.

19.—All byelaws made under the said Local Acts now in force shall, notwithstanding the amendment by this Order of such Local Acts and the Act confirming the same, be and continue in full force, unless and until the same be repealed or altered by the Local Board, with the sanction and approval of one of Her Majesty's Principal Secretaries of State, and may be enforced, and penalties imposed thereby may be recovered accordingly.

20.—Provided always, that, notwithstanding the amendment by this Order and the Act confirming the same of the Local Acts aforesaid, and the transfer thereby to the said Local Board of the property, powers, rights, and liabilities of such Commissioners, and except only as is herein otherwise expressly provided, everything heretofore done, suffered, and confirmed respectively under or by the said

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Local Acts shall be as valid as if the amendment and transfer had not happened; and the amendment and transfer and the operation of this Order shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which if such aforesaid amendment and transfer had not happened would be incident to or consequent on everything so done, sufferred, and confirmed respectively. And with respect to everything so done, suffered, and confirmed respectively, and all those rights, liabilities, claims, and demands, the said Local Board shall to all intents represent the Commissioners herein-before described, as if such Commissioners and the Local Board aforesaid had originally been and had continued without intermission to be one and the same body: Provided always, that the several powers by this Order and the Act confirming the same conferred on the Local Board aforesaid shall be in addition to and not in any respect restrictive of their other powers under the unrepealed portions of the several Acts herein-before recited, which powers may be exercised as if this Order were not made.

The Local Board in and for the said district shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature, in the exercise of their powers as such Local Board within such district, and on mortgage of the rates leviable by them as such, a sum or sums which shall not, with the sums already borrowed, exceed in the whole two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid district; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Tenth day of June, in the year of our Lord One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

Home Office, Whitehall.

SCHEDULE to which the preceding Order refers.

The sections of the herein-before recited Acts to be retained are as follows:—

Of the Local Act 14 & 15 Vict. cap. 96. the following sections as numbered in the Queen's Printers' copies thereof:—Sections 1, 2, 3, 13, 14, 24, to 33, both inclusive; 35, 36, 38, 40, 42, 43, 45 to 52, both inclusive, 60, 61, and 62.

Of the Local Act 21 & 22 Vict. (intituled the Malvern Improvement Amendment Act, 1858,) the following sections, numbered respectively sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 27, 28.

GREAT HARWOOD.

Provisional Order for extending the Borrowing Powers of the Great Harwood Local Board.

WHEREAS the Local Government Act, 1858, has been duly adopted by and is in force within the boundaries of the District of Great Harwood in the County of Lancaster:

And whereas the said Local Board have received sanction under the Local Government Act, 1858, and "The Public Works (Manufacturing Districts) Acts, 1863, 1864," to borrow, upon security of their rates, sums amounting in the whole to Eight thousand six hundred and sixty-one Pounds to defray the expense of works for the drainage of and supply of water to the said District, and other works of a permanent nature under the aforesaid Acts:

And whereas the said Local Board duly petitioned the Right Honourable Spencer H. Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, for power to borrow, upon mortgage of the rates to be levied by them under the said Acts, a further sum to enable them to defray the additional cost of completing such works as aforesaid; the said further sum or sums to be borrowed upon security of the rates authorized to be made and collected under the said Acts, and to be repaid within a period of fifty years from the borrowing thereof, and not to exceed in the whole, together with the amount of 8,661*l.* already borrowed as herein-before stated, two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District:

And whereas after due inquiry and report by Arnold Taylor, Esquire, the Inspector appointed for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board for the District of Great Harwood in the County of Lancaster shall have power and authority to borrow or reborrow for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, any sum or sums which shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which the said sum or sums may be borrowed, such sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twenty-ninth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

HARROW.

HARROW.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Harrow Local Board of Health District, for the Purchase and taking of Lands by the said Board otherwise than by Agreement for purposes of Sewage Irrigation.

WHEREAS the Local Board of Health in and for the District of Harrow in the County of Middlesex have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of sewage irrigation and purposes set forth and described in such Petition, and shown upon the plan accompanying the same:

And whereas the said Petition duly set forth in the schedule annexed thereto the several pieces of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition the Right Honorable S. H. Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, directed inquiry, and report has been duly made thereon by Arnold Taylor, Esquire, the Inspector appointed by him for such purpose:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of Health for the said District of Harrow in the County of Middlesex shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement for the purposes herein-before set forth and described.

Given under my hand this Fifth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

Home Office, Whitehall.

The SCHEDULE referred to in the foregoing Order.

The Lands, Buildings, and Premises proposed to be taken for the Purposes set forth in the preceding Order, and situate in the District of Harrow, are the following; the numbers in col. 1 refer to the numbers on the Plan herein-before referred to.

No. on Plan.	Lands proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Meadow Land -	The Trustees or Trustee of the Estate of the late Richard Heming.	James Row -	James Row.
2	Meadow Land -	The Dean and Chapter of Christ Church, Oxford.	Henry Young -	James Goodchild.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Statutes then in force, and to all Acts and Proceedings duly commenced under the same, and not then completed, and except in regard to all Liabilities and Responsibilities incurred under the same, all which shall remain in as full Force as if the same Statutes had not been repealed, unless they be in any respect inconsistent with the Provisions herein contained.

Guardians to divide Unions and Parishes into Vaccination Districts, or to consolidate or alter them, subject to Approval of the Poor Law Board.

2. The Guardians of every Union or Parish where the same shall not have been divided into Districts for the Purpose of Vaccination shall, unless such Union or Parish respectively shall be of so limited an Area as not to require Subdivision, in which Case the same shall be treated as a Vaccination District within the Meaning hereof, forthwith divide the Union or Parish for which they act into Districts for the Performance of Vaccination; and when the Poor Law Board shall by their Order require any Districts for the Time being to be consolidated or otherwise altered, the Guardians shall proceed to consolidate or alter the same, and they shall in every such Case of Division, Consolidation, or Alteration report their Proposal to the Poor Law Board for their Approval, which Board shall approve or disapprove of the same as they see fit; and the Guardians of every Union or Parish may, with like Approval, from Time to Time as they shall find it requisite, alter the Districts heretofore formed or hereafter to be formed for the Purpose of Vaccination.

If the Board do not approve, another Scheme to be prepared; when approved, Guardians to contract for Performance of Vaccination.

3. If the said Board disapprove of the Proposal the Guardians shall forthwith proceed to prepare another, and submit the same to the said Board for Approval, and so on from Time to Time as shall be requisite until their Proposal shall be approved, and when the said Board shall have approved of the same the Guardians shall enter into a Contract with some duly registered Medical Practitioner for the Performance of Vaccination of all Persons resident within each District; and every such Medical Practitioner shall be termed the Public Vaccinator of the District; and as and when the Contracts now existing shall determine the Guardians shall enter into others, with such Modifications as the Circumstances shall render necessary, subject to the like Approval of the Poor Law Board as aforesaid.

Qualification of Vaccinator to be prescribed by Lords of the Privy Council, and other Regulations to be prescribed by them.

4. No Person shall be appointed a Public Vaccinator, or act as Deputy for a Public Vaccinator, who shall not possess the Qualification heretofore prescribed by the Lords of Her Majesty's Council, or such as shall be from Time to Time hereafter prescribed by them, except when such Lords shall upon sufficient Cause sanction any Departure from their Directions; and all such Regulations as the said Lords have heretofore made or shall hereafter make, which they are hereby authorized to make, to secure the efficient Performance

formance of Vaccination or the Provision and Supply of Vaccine Lymph by the Public Vaccinator, and all such Directions or Regulations as the said Lords acting under any Act for the Prevention of Diseases may issue in relation to Smallpox, shall be duly observed by the several Persons to whom they apply; and the said Lords may from Time to Time cause such Inquiries to be made relating to the Observance of such Regulations and to the Execution of this Act as to them shall seem fit, and shall direct how any Money hereafter to be provided by Parliament for or towards defraying the Expenses of the National Vaccine Establishment, or otherwise providing for the Supply of Vaccine Lymph, shall be applied.

As to Allowances to Public Vaccinators.

5. On Reports made to the Lords of Her Majesty's Council with regard to the Number and Quality of the Vaccinations performed in the several Vaccination Districts of *England*, or any of them, the said Lords may from Time to Time, out of Monies provided by Parliament, and under Regulations to be approved by the Lords Commissioners of Her Majesty's Treasury, authorize to be paid to any Public Vaccinators, in addition to the Payments received by them from Guardians or Overseers, further Payments not exceeding in any Case the Rate of One Shilling for each Child whom the Vaccinator has successfully vaccinated during the Time to which the Award of the said Lords of the Council relates.

As to Fees payable for Vaccination.

6. Every such Contract for Vaccination shall provide for Payment in respect only of the successful Vaccination of Persons, and so that the Rate of Payment for primary Vaccinations shall be not less than the following; that is to say, for every such Vaccination done at an appointed Station situated at or within One Mile from the Residence of the Vaccinator, or in the Workhouse of the Union or Parish, not less than One Shilling and Sixpence; and for every such Vaccination done at any Station over One Mile and under Two Miles distant from his Residence, not less than Two Shillings; and for every such Vaccination done at any Station over Two Miles distant from his Residence, not less than Three Shillings; such Distance being measured according to the nearest public Carriage Road; but in respect of successful Vaccinations performed elsewhere than at a Station or in the Workhouse as aforesaid, the Payment shall be according to the Terms specified in the Contract as approved of by the Poor Law Board.

Conditions may be imposed in the Contracts

7. The Guardians shall, with the Consent of the Poor Law Board, make Stipulations and Conditions in their Contracts to secure the due Vaccination of Persons, the Observance of the Provisions of

to secure due Vaccination of Persons.

of this Act with regard to the Transmission of the Certificate of successful Vaccination, and the Fulfilment of all other Provisions of this Act on the Part of the Public Vaccinator, and shall provide all Stations at which the Vaccination shall be appointed to be performed other than the Surgery or Residence of the Public Vaccinator.

Provision for Re-vaccination.

8. The Provisions of the Contracts entered into before this Act comes into operation shall not after the Thirty-first Day of *December* next apply to the Cases of Persons who having been previously successfully vaccinated shall be re-vaccinated, but if the Lords of Her Majesty's Council shall have issued or shall hereafter issue Regulations in respect of the Re-vaccination of Persons who may apply to be re-vaccinated, which such Lords are hereby authorized to do, the Guardians shall pay in respect of every Case of successful Re-vaccination performed in conformity with such Regulations under such Contracts or under new Contracts entered into after the Date hereof a Sum amounting to Two Thirds of the Fee payable upon each Case of successful primary Vaccination.

Contract not valid unless approved of by the Poor Law Board, who may determine the same at any Time.

9. No Contract for Vaccination entered into under the Provisions of this Act shall be valid until the same shall have been approved of by the Poor Law Board, and such Board may, at their Discretion, upon the Application of the Lords of Her Majesty's Council or otherwise, at any Time after the same shall have been approved of by them, determine it either forthwith or at a future Day.

No Payment to be made out of the Poor Rate or any other public Fund unless the Poor Law Board have approved of the Contract.

10. No Payment in respect of Vaccination shall be made out of the Common Fund of any Union, or out of the Poor Rate of any Parish, or out of any other public or parochial Fund, where the Poor Law Board shall not have approved of a Contract for the Performance thereof, or after they shall have determined any such Contract; and every Payment made contrary hereto shall be disallowed by the Auditor in the Accounts of every Board of Guardians, or of the Overseers, or of any Officer who shall have made the same.

No Public Vaccinator to be paid for Vaccination out of his District.

11. Where a District shall have been or shall be assigned to a Vaccinator, he shall not be entitled to be paid a Fee in respect of the Vaccination or Re-vaccination of any Child or other Person resident out of his District, except in case of a Vacancy in the Office of Vaccinator in any adjoining District, or of the Default of the Vaccinator therein, of which Default Notice shall have been given to him in Writing by the Guardians, or when a Relieving Officer of his Union or Parish shall in Writing refer any Child to him for Vaccination.

12. The

Vaccination.

Provision for Districts in particular Places of scanty Population.

12. The Guardians may with the Consent of the Poor Law Board provide in Districts where the Population is scanty or much scattered, or where some peculiar Circumstances may render it expedient for them to do so, for the Attendance of the Public Vaccinator at the appointed Places after Intervals exceeding Three Months; and if by reason of such Intervals the Vaccination of any Child cannot be performed within the respective Periods herein prescribed, no Parent or other Person who would otherwise be liable shall be liable to any Penalty in respect of a Neglect to procure the Vaccination during any such Period; but every such Parent or other Person shall be bound to procure such Vaccination to be performed at the Time and Place so appointed before the Commencement of the next Interval, unless it be otherwise performed by a Medical Practitioner as herein provided, or unless the Child shall be certified to be then in an unfit State for or insusceptible of Vaccination.

Guardians to give Notice of Alteration in Districts.

13. When the Guardians make any Alteration in a Vaccination District, or otherwise in the local Arrangements for Vaccination, they shall give public Notice of such Alteration by printed Papers to be affixed in the Districts affected by such Alteration for One Month prior to the Alteration taking effect.

The Registrar General to provide Forms.

14. The Registrar General for *England* and *Wales* shall, when he shall deem it necessary, from Time to Time as Occasion shall require, after the passing of this Act, frame and provide appropriate Books, Forms, and Regulations for the Use and Guidance of the Registrars in the Exercise of their Duties therein prescribed, and also such Forms as shall be required for the Use of the Public Vaccinators and the Signature of the Medical Practitioners under the Provisions of this Act, and shall transmit the same to all Registrars of Births and Deaths, who shall retain such as relate to themselves, and distribute among the Vaccinators within their respective Districts such as relate to them without any Fee or Reward.

Registrar of Births to deliver Notice of Vaccination to Parent or other Person registering Birth.

15. The Registrar of Births shall, on or within Seven Days after the Registration with him of the Birth of any Child not already vaccinated, give a Notice, according to the Form in the Schedule hereto annexed marked A., or to the like Effect, to the Parent, or, in the event of the Death, Illness, Absence, or Inability of the Parent, to the Person having the Custody of such Child, if known to him, requiring such Child to be duly vaccinated according to the Provisions of this Act, and specifying the Days, Hours, and Places where the Public Vaccinator of the Vaccination District wherein such Child resides, or the Vaccinator of any Station duly authorized by the Lords of Her Majesty's Council, will attend for

the Purpose of performing the Operation, to which Notice Forms according to those in the said Schedule marked B., C., and D., and also the Address of the Registrar giving the Notice, shall be attached in such Form as the Registrar General shall deem most convenient.

Parent or other Person to procure the Vaccination of Child within Three Months.

16. The Parent of every Child born in *England* shall within Three Months after the Birth of such Child, or where, by reason of the Death, Illness, Absence, or Inability of the Parent, or other Cause, any other Person shall have the Custody of such Child, such Person shall, within Three Months after receiving the Custody of such Child, take it or cause it to be taken to the Public Vaccinator of the Vaccination District in which it shall be then resident, according to the Provisions of this or any other Act, to be vaccinated, or shall within such Period as aforesaid cause it to be vaccinated by some Medical Practitioner; and the Public Vaccinator to whom such Child shall be so brought is hereby required, with all reasonable Despatch, subject to the Conditions herein-after mentioned, to vaccinate such Child.

Provision for Inspection of Vaccination.

17. Upon the same Day in the following Week when the Operation shall have been performed by the Public Vaccinator such Parent or other Person, as the Case may be, shall again take the Child or cause it to be taken to him or to his Deputy that he may inspect it, and ascertain the Result of the Operation, and, if he see fit, take from such Child Lymph for the Performance of other Vaccinations; and in the event of the Vaccination being unsuccessful such Parent or other Person shall, if the Vaccinator so direct, cause the Child to be forthwith again vaccinated and inspected as on the previous Occasion.

Provision for the Unfitness of the Child for Vaccination.

18. If any Public Vaccinator or Medical Practitioner shall be of opinion that the Child is not in a fit and proper State to be successfully vaccinated he shall forthwith deliver to the Parent or other Person having the Custody of such Child a Certificate under his Hand according to the Form in the Schedule hereto annexed marked B., or to the like Effect, that the Child is then in a State unfit for successful Vaccination, which Certificate shall remain in force for Two Months, and shall be renewable for successive Periods of Two Months until a Public Vaccinator or Medical Practitioner shall deem the Child to be in a fit State for successful Vaccination, when the Child shall, with all reasonable Despatch, be vaccinated, and the Certificate of successful Vaccination duly given if warranted by the Result.

Provision for successive Certificates.

19. At or before the End of each successive Period the Parent or such Person as aforesaid shall take or cause the Child to be taken

to

to some Public Vaccinator or Medical Practitioner, who shall then examine the Child, and give the Certificate according to the said Form B., so long as he deems requisite under the Circumstances of the Case.

Provision for Insusceptibility of successful Vaccination.

20. If any such Public Vaccinator or Medical Practitioner shall find that a Child whom he has Three Times unsuccessfully vaccinated is insusceptible of successful Vaccination, or that a Child brought to him for Vaccination has already had the Smallpox, he shall deliver to the Parent or other Person as aforesaid a Certificate under his Hand according to the Form in the Schedule hereunto annexed marked C., or to the like Effect, and the Parent or such Person as aforesaid shall thenceforth not be required to cause the Child to be vaccinated.

Certificate of successful Vaccination to be transmitted to the Registrar, and a Duplicate given to the Parent.

21. Every Public Vaccinator who shall have performed the Operation of Vaccination upon any Child, and have ascertained that the same has been successful, shall, within Twenty-one Days after the Performance of the Operation, transmit by Post or otherwise a Certificate according to Form D. in the said Schedule, or to the like Effect, certifying that the said Child has been successfully vaccinated, to the Registrar of Births and Deaths in the District within which the Birth was registered, but if such District be not known to him, or if the Birth of the Child shall not have been registered, to the Registrar within whose District the Operation shall have been performed, and upon Request shall deliver a Duplicate thereof to the Parent or other Person as aforesaid.

No Fee to be charged for Certificate.

22. No Fee or Remuneration shall be charged by the Public Vaccinator to the Parent or other Person for any such Certificate or Duplicate Certificate as aforesaid, nor for any Vaccination done under his Contract, nor shall he be entitled to Payment under his Contract for any Vaccination in respect of which he shall have been paid by the Parent or other Person for whom or on whom it is performed; and if he should have received Payment under his Contract he shall not be entitled to recover Payment for the Vaccination from any other Person.

Parent, &c. to transmit Certificate of successful Vaccination by Medical Practitioner to Registrar of District.

23. Where the Vaccination shall be successfully performed by a Medical Practitioner not being a Public Vaccinator, the Parent or other Person as aforesaid causing the Child to be vaccinated shall submit a Certificate according to the said Form marked D. to such Medical Practitioner, to be filled up and signed by him, and shall within Twenty-one Days after the Performance of the Operation transmit the same so signed, by Post or otherwise, to the Registrar of

of the District where the Birth of such Child was registered, or if such Child shall not have been registered, or the District of the Registration shall not be known to such Parent or other Person, to the Registrar of the District in which the Operation shall have been performed.

Registrar to keep Books and Register of Vaccination to be open to Searches.

Fees for Searches and Copies.

Proviso.

24. Every Registrar shall keep a Book in which he shall enter Minutes of the Notices of Vaccination given by him as herein required, and also register the Certificates transmitted to him as herein provided, and shall at all reasonable Times allow Searches to be made therein, and upon Demand give a Copy under his Hand or under that of his Deputy of any Entry in the same, on Payment of a Fee of Sixpence for each Search and Threepence for each Copy; and every Registrar shall receive a Fee of One Penny in respect of every Child whose Birth he shall have registered, and in respect of whom he shall give the Notice as aforesaid, and another Fee of Threepence in respect of every such Child whose Certificate he shall have registered as herein provided, and he shall receive a Fee of One Penny in respect of each Child whose Certificate he shall have registered without having registered the Birth: Provided that no Fee shall be charged for any Search made by a Public Vaccinator, or any Officer of the Guardians, authorized by them to make such Search, or any Inspector appointed by the Poor Law Board or the Lords of Her Majesty's Council.

Registrar to be paid Fees by the Boards of Guardians.

25. The Registrar shall make out an Account of the Fees to which he shall be entitled under this Act at the usual Quarter Days of the Year, and submit the same to the Guardians of the Union or Parish for which he acts, and they shall, after examining the same and comparing with the Register of successful Vaccinations kept by him and finding the Account to be correct, forthwith pay the Amount of the same out of the Funds in their Possession.

Vaccination declared to be not Parochial Relief so as to disqualify.

26. It is hereby declared, That the Vaccination, or the Surgical or Medical Assistance incident to the Vaccination, of any Person in a Union or Parish, heretofore or hereafter performed or rendered by a Public Vaccinator, shall not be considered to be Parochial Relief, Alms, or charitable Allowance to such Person or his Parent, and no such Person or his Parent shall by reason thereof be deprived of any Right or Privilege, or be subject to any Disability or Disqualification.

Half-yearly Proceedings by Regis-

27. The Registrar of each District shall, within One Week after the First Day of *January* and the First Day of *July* in each Year, make

make a List of all Cases in which Certificates of Vaccination have not been duly received by him during the last preceding Half Year, and shall submit the same to the next Meeting of the Guardians of the Union or Parish wherein he acts, and the said Guardians shall forthwith make Inquiry into the Circumstances of the Cases contained in the List, and if they find that the Provisions of the Act have been neglected shall cause Proceedings to be taken against the Persons in default. trars and Guardians.

28. The Guardians of any Union or Parish may pay out of their Funds all reasonable Expenses incurred by them in causing Notices to be printed and circulated as to the Provisions of this Act, and in and about Inquiries and Reports as to the State of Smallpox or Vaccination in their Union or Parish, and in taking Measures to prevent the Spread of Smallpox and to promote Vaccination upon any actual or expected Outbreak of that Disease therein, and may pay any Officer appointed by them to prosecute Persons charged with Offences against this Act, or otherwise to enforce its Provisions. Power to Guardians to pay certain Expenses out of their Funds.

29. Every Parent or Person having the Custody of a Child who shall neglect to take such Child or to cause it to be taken to be vaccinated, or after Vaccination to be inspected, according to the Provisions of this Act, and shall not render a reasonable Excuse for his Neglect, shall be guilty of an Offence, and be liable to be proceeded against summarily, and upon Conviction to pay a Penalty not exceeding Twenty Shillings. Penalty on Parent, &c. neglecting to procure Vaccination of the Child.

30. Every Public Vaccinator, Parent or Person, as the Case shall require, who shall neglect to transmit any Certificate required of him by the Provisions of this Act completely filled up and legibly written to the Registrar within the Time herein specified, and every Public Vaccinator who shall refuse to deliver the Duplicate to the Parent or other Person, on Request, and every Medical Practitioner who shall refuse to fill up and sign the Certificate of successful Vaccination when submitted to him as aforesaid, shall be liable to pay upon a summary Conviction a Penalty not exceeding Twenty Shillings; and every Person who shall wilfully sign a false Certificate or Duplicate under this Act shall be guilty of a Misdemeanor, and punishable accordingly. Penalty on Vaccinator and Parent neglecting to transmit Certificate, and Persons signing false Certificates.

31. If any Registrar, or any Officer appointed by the Guardians to enforce the Provisions of this Act, shall give Information in Writing to a Justice of the Peace that he has Reason to believe that any Child under the Age of Fourteen Years, being within the Union or Parish for which the Informant acts, has not been successfully vaccinated, Justices may make an Order for the Vaccination of any Child under 14 Years.

vaccinated, and that he has given Notice to the Parent or Person having the Custody of such Child to procure its being vaccinated, and that this Notice has been disregarded, the Justice may summon such Parent or Person to appear with the Child before him at a certain Time and Place, and upon the Appearance, if the Justice shall find, after such Examination as he shall deem necessary, that the Child has not been vaccinated, nor has already had the Smallpox, he may, if he see fit, make an Order under his Hand and Seal directing such Child to be vaccinated within a certain Time; and if at the Expiration of such Time the Child shall not have been so vaccinated, or shall not be shown to be then unfit to be vaccinated, or to be insusceptible of Vaccination, the Person upon whom such Order shall have been made shall be proceeded against summarily, and, unless he can show some reasonable Ground for his Omission to carry the Order into effect, shall be liable to a Penalty not exceeding Twenty Shillings:

Penalty for Disobedience.

Provided that if the Justice shall be of opinion that the Person is improperly brought before him, and shall refuse to make any Order for the Vaccination of the Child, he may order the Informant to pay to such Person such Sum of Money as he shall consider to be a fair Compensation for his Expenses and Loss of Time in attending before the Justice.

Proviso for Costs to Person improperly summoned.

32. Any Person who shall after the passing of this Act produce or attempt to produce in any Person by Inoculation with Variolous Matter, or by wilful Exposure to Variolous Matter, or to any Matter, Article, or Thing impregnated with Variolous Matter, or wilfully by any other Means whatsoever produce, the Disease of Smallpox in any Person, shall be guilty of an Offence, and shall be liable to be proceeded against summarily, and upon Conviction to be imprisoned for any Term not exceeding One Month.

Penalty upon Persons inoculating with Smallpox.

33. The Statute of the Eleventh and Twelfth *Victoria*, Chapter Forty-three, except Section Eleven, shall apply to all Proceedings to be taken under this Act; and the Justices for the County, City, Borough, or other Place where the Offence shall have been committed shall have Jurisdiction to hear and determine the Complaint, and where a Union or Parish shall be comprised in several Jurisdictions the Complaint as to any Matter arising in such Union or Parish may be heard and determined in any One of such Jurisdictions; and all Prosecutions undertaken by the Guardians or their Officers or any Registrar under this Act shall be deemed to be within the Operation of the Seventh and Eighth *Victoria*, Chapter One hundred and one, Section Fifty-nine, and the Union Chargeability Act of 1865, Section Nine.

11 & 12 Vict. c. 43., except Sect. 11., Sect. 59 of 7 & 8 Vict. c. 101., and Sect. 9 of 28 & 29 Vict. c. 79. to apply to these Proceedings.

34. In

Vaccination.

Notice not to be proved by Prosecutors.

Certificates to be Defence.

34. In any Prosecution for Neglect to procure the Vaccination of a Child, it shall not be necessary in support thereof to prove that the Defendant had received Notice from the Registrar or any other Officer of the Requirements of the Law in this respect; but if the Defendant produce any such Certificate as herein-before described, or the Register of Vaccinations kept by the Registrar as herein-before provided, in which the Certificate of successful Vaccination of such Child shall be duly entered, the same shall be a sufficient Defence for him, except in regard to the Certificate marked B., when the Time specified therein for the Postponement of the Vaccination shall have expired before the Time when the Information shall have been laid.

Interpretation of Terms.

35. The Word "Parent" shall include the Father and Mother of a legitimate Child and the Mother of an illegitimate Child; "Medical Practitioner" shall mean a registered Medical Practitioner; and the several Words herein contained shall be construed, except where any Inconsistency would ensue from such Construction, in the same Manner as in the several Acts for the Amendment of the Law for the Relief of the Poor.

Sect. 7 of 21 & 22 Vict. c. 97. to apply to Acts of Privy Council.

36. The Seventh Section of the Public Health Act, 1858, shall apply to all the Proceedings and Acts of the Lords of Her Majesty's Council herein authorized.

Commencement of Act.

Short Title.

37. This Act shall come into operation on the First Day of *January* next, and may be cited as "The Vaccination Act of 1867."

SCHE-

SCHEDULE OF FORMS.

A.

I, the undersigned, hereby give you Notice to have the Child (*insert Name*), whose Birth is now registered, vaccinated within Three Months from the Date of its Birth, pursuant to the Provisions and Directions of the Vaccination Act; and that in default of your doing so you will be liable to the Penalties thereby imposed for Neglect of those Provisions.

If you intend to apply to the Public Vaccinator of your District I have to inform you that he will attend at
on at the Hour of .

You are required to produce to the Public Vaccinator or Medical Practitioner who may be applied to the Forms herewith supplied for him to fill up and sign; and if the Operation be performed by a Medical Practitioner who is not the Public Vaccinator, you must transmit to me by Post or otherwise the Certificate signed by him within Twenty-one Days after the Performance of the Operation, or you will be liable to a Penalty of Twenty Shillings, to be recovered on a summary Conviction.

Dated this Day of 18 .

(Signed) *C.D.*,
Registrar of Births and Deaths for the Sub-District of in the Union *or* Parish.

B.

I, the undersigned, hereby certify, That I am of opinion that the Child of of in the Parish *or* Township of in the County *or* Borough of aged is not now in a fit and proper State to be successfully vaccinated. I do hereby postpone the Vaccination until the Day of .(*a*)

Dated this Day of 18 .

(Signed) *A.B.*,
Public Vaccinator of the Union *or* Parish.
or A.B., of
Medical Practitioner (*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the Case may be*).

Mem.—This is to be kept by the Parent or other Person to whom it is given.

(*a*) *This must not exceed Two Calendar Months from the Date of the Certificate.*

C.

I, the undersigned, hereby certify, That I have Times unsuccessfully vaccinated the Child of of in the Parish *or* Township of in the County *or* Borough of aged , [*or* that the Child has already had Smallpox, *as the Case may be*,] and I am of opinion that such Child is insusceptible of successful Vaccination.

Dated this Day of 18 .

(Signed) *A.B.*,
Public Vaccinator of the Union *or* Parish.
or A.B., of
Medical Practitioner (*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the Case may be*).

Mem.—This is to be kept by the Parent or other Person to whom it is given.

D.

I, the undersigned, hereby certify, That the Child of aged of in the Parish *or* Township of in the County *or* Borough of has been successfully vaccinated by me.

Dated this Day of 18 .

(Signed) *A.B.*,
Public Vaccinator of the Union
or Parish.
or A.B., of
Medical Practitioner (*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the Case may be*).

NOTICE.—*This Certificate is to be transmitted within Twenty-one Days from the Performance of the Operation by the Public Vaccinator to the Registrar of the District in which the Birth was registered, or, if that be not known to him, to the Registrar of the District in which the Operation was performed. A Duplicate is to be given to the Parent, or other Person procuring the Vaccination, if requested.*

When the Vaccination is performed by a Medical Practitioner, not the Public Vaccinator of the District, he is to fill up and sign this Certificate, and the Parent or such other Person is within the same Time to transmit it to the Registrar with whom the Birth was registered, or, if his District be not known to such Parent or other Person, to the Registrar of the District in which the Operation was performed.

The Transmission may be by Post or otherwise.

In each Case the Vaccination Act of 1867 *imposes a Penalty of Twenty Shillings for Default.*

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXXV.

An Act to include the whole of the Burgh of *Galashiels* within the County, Sheriffdom, and Commissariot of *Selkirk*. [12th *August* 1867.]

WHEREAS the Town or Burgh of *Galashiels* is situated partly within the Jurisdiction of the Sheriff of *Selkirkshire* and partly within the Jurisdiction of the Sheriff of *Roxburghshire*, and great Inconvenience has thence arisen:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Town of Galashiels, as fixed under 25 & 26 Vict. c. 101., to be wholly in Selkirkshire.

1. The whole Territory contained within the Boundaries of the Town or Burgh of *Galashiels*, as the same have been fixed and defined under the General Police and Improvement (*Scotland*) Act, 1862, or as the same may be hereafter fixed and defined under the said Act, or by or under any other Act, and whether the said Territory shall heretofore have been locally situated within the County of *Selkirk* or the County of *Roxburgh*, shall from and after the First Day of *October* One thousand eight hundred and

sixty-seven be held to be, and be for all Purposes whatsoever, except in so far as herein-after provided, Part of the County, Sheriffdom, and Commissariot of *Selkirk*.

Not to affect Taxation, or the Right of voting for Members of Parliament.

2. For all Purposes of the Acts regulating the Valuation of Lands and Heritages and the Registration of Voters the Lands and Heritages within the Territory specified in the First Section hereof shall continue to be and shall be deemed to be within the County or Sheriffdom in which they were severally locally situated before the passing of this Act, and nothing herein contained shall affect any Right or the Mode of levying and recovering, or any Obligation to pay, any Tax, Rate, or Impost, except any Rate levied under the Authority of the recited Act, or the Right of being registered as a Voter or of voting for a Representative in Parliament.

Pending Actions not to be affected.

3. Nothing herein contained shall affect any Action or Proceeding instituted or raised before the Courts of *Roxburghshire* previous to the said First Day of *October* One thousand eight hundred and sixty-seven, and the same shall be proceeded with, determined, and followed forth, by Diligence or otherwise, as if this Act had not passed.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

CAP. LXXXVI.

An Act to alter certain Duties of Customs in the *Isle of Man*. [12th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Duties to be charged in lieu of Duties now charged.

1. In lieu of the Duties of Customs now chargeable on the Articles herein-after mentioned upon their Importation into the *Isle of Man*, the following Duties shall be charged on and after the First Day of *September* One thousand eight hundred and sixty-seven; that is to say,

		£	*s.*	*d.*
Tea - - - - -	the lb.	0	0	4
Tobacco, manufactured, of all Sorts, and Cigars - - -	the lb.	0	3	6
Wine; *viz.*,				
Containing less than Twenty-six Degrees of Proof Spirits verified by *Sykes'* Hydrometer, the Strength thereof having been ascertained by Test at *Liverpool* or some other Testing Port in *Great Britain* or *Ireland* - - - -	the Gallon	0	0	8
Other Wines - - - -	the Gallon	0	1	8

2. This

Short Title.

2. This Act may be cited as the "*Isle of Man* Customs Duties Act, 1867."

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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXXVII.

An Act to facilitate the Transaction of Business in the Chambers of the Judges of the High Court of Chancery, and in the Offices of the Registrars and Accountant General of the said Court, and in Lunacy. [12th *August* 1867.]

WHEREAS an Act was passed in the Session of Parliament held in the Third and Fourth Years of Her Majesty, Chapter Ninety-four, intituled *An Act for facilitating the Administration of Justice in the Court of Chancery :* 3 & 4 Vict. c. 94.

And whereas a Second Act was passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty, intituled *An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court :* 15 & 16 Vict. c. 80.

And whereas a Third Act was passed in the Session of Parliament held in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and thirty-four, intituled *An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord* 18 & 19 Vict. c. 134.

Chancellor the Ground and Buildings of the said Court, situate in Southampton Buildings, Chancery Lane, *with Powers of Leasing and Sale thereof:*

And whereas a Fourth Act was passed in the Session of Parliament held in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and forty-nine, intituled *An Act to make better Provision for the Relief of Prisoners in contempt of the High Court of Chancery, and Pauper Defendants, and for the more efficient Despatch of Business in the said Court:*

23 & 24 Vict. c. 149.

And whereas a Fifth Act was passed in the Session of Parliament held in the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifteen, intituled *An Act for making better and further Provision for the more efficient Despatch of Business in the High Court of Chancery:*

27 & 28 Vict. c. 15.

And whereas the Number of Chief Clerks and Junior Clerks now authorized to be appointed to be attached to the Courts of the Master of the Rolls and the Vice-Chancellors respectively has been found insufficient for the due Despatch of the Business transacted by the said Judges when sitting at Chambers, and the Services of Assistant Clerks are required:

And whereas by an Order of the Court of Chancery dated the Twenty-sixth Day of *January* One thousand eight hundred and sixty-five, made under the first-recited Act, it was ordered that there should be a temporary Junior Clerk in the Chambers of the Vice-Chancellor Sir *John Stuart* during such Time as the Lord Chancellor should think fit, and by an Order of the Court dated the Seventh Day of *November* One thousand eight hundred and sixty-six, made under the same Act, the yearly Salary of Two hundred and fifty Pounds was ordered to be paid to *William Arthur Marshall* as such temporary Junior Clerk:

And whereas by another Order of the Court dated the Third Day of *November* One thousand eight hundred and sixty-six, made under the Provisions of the first-recited Act, Mr. *Henry Francis Church* was appointed temporary Chief Clerk in the Chambers of the Vice-Chancellor Sir *John Stuart* until a permanent Chief Clerk should be appointed by Authority of Parliament, and Mr. *William Wright* and Mr. *Jonathan Pinnington* were respectively appointed Junior Clerks in the same Chambers for the Period aforesaid:

And whereas by another Order of the Court dated the Twenty-seventh Day of *November* One thousand eight hundred and sixty-six, made under the same Act, it was ordered that there should be paid to the said Mr. *Henry Francis Church* as such temporary Chief Clerk, and to his Successors, the yearly Salary of One thousand

sand

sand two hundred Pounds, and to the said Mr. *William Wright* and Mr. *Jonathan Pinnington*, as Junior Clerks to such Chief Clerk, the yearly salary of Four hundred Pounds each:

And whereas by another Order of the Court dated the Sixteenth Day of *January* One thousand eight hundred and sixty-seven Mr. *Samuel John Bakewell* was appointed additional Junior Clerk in the Chambers of the Master of the Rolls, and by another Order of the Court dated the Thirty-first Day of the same Month the yearly Salary of Four hundred Pounds was ordered to be paid to him as such additional Junior Clerk:

And whereas by divers Orders of the Court made under the first-recited Act Assistant Clerks, at Salaries not exceeding One hundred and fifty Pounds each, have been from Time to Time appointed in the Chambers of the Master of the Rolls and each of the Vice-Chancellors:

And whereas Doubts may be entertained whether the recited Orders, or some of them, were authorized by the first-recited Act, and whether the Junior Clerks appointed by or pursuant to the Power contained in the fifthly-recited Act can hold Office longer than during the Continuance in Office of the Chief Clerk appointed by the same Act, and in consequence of the Increase of administrative Business of the Court of Chancery it is expedient that Powers should be given for enabling the Appointment of additional Chief Clerks, Junior Clerks, and Assistant Clerks, to be attached to the Courts of the Master of the Rolls and Vice-Chancellors respectively, as the State of the Business in such Courts respectively may from Time to Time require, and that certain Appointments already made should be confirmed or made permanent; and it is also expedient that Power should be given for enabling the Appointment of additional Registrars of the Court, and that Power should be given to alter the Salaries of Officers of the Court:

And whereas it is also expedient that the Jurisdiction in Lunacy of the Lords Justices of the Court of Appeal in Chancery should be vested in them not only when sitting together, but also when sitting separately:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to appoint additional Chief Clerks and Junior Clerks.

1. It shall be lawful for the Lord Chancellor, with the Advice and Consent of the Master of the Rolls and Vice-Chancellors, or any Three of them, from Time to Time to order such additional Chief Clerks and Junior Clerks as he shall think fit to be attached to the Courts of the Master of the Rolls and Vice-Chancellors respectively, and

and thereupon the Master of the Rolls or the Vice-Chancellor, as the Case may be, to whose Court any additional Chief Clerk or Junior Clerk shall be ordered to be attached, shall appoint a fit Person to be such Chief Clerk or Junior Clerk, as the Case may be; provided that every Appointment of a Chief Clerk shall be made with the Approbation of the Lord Chancellor as required by the secondly-recited Act, and that no Person shall be appointed a Chief Clerk unless he shall be duly qualified in manner provided by the same Act: Provided also, that upon the Occurrence of any Vacancy in the Office of Chief Clerk or Junior Clerk attached to the Court of the Master of the Rolls or of any Vice-Chancellor, then unless by such Vacancy the Number of Chief Clerks attached to such Court shall be reduced below Two, or the Number of Junior Clerks attached to such Court shall be reduced below Four, no Appointment shall be made to supply the Vacancy unless the Lord Chancellor, with the Advice and Consent of the Master of the Rolls and Vice-Chancellors, or any Three of them, shall by Order declare that it is necessary to supply the Vacancy: Provided also, that the total Number of Chief Clerks shall not at any One Time exceed Twelve.

The secondly, thirdly, and fourthly recited Acts to apply to Chief Clerks and Junior Clerks so appointed.

2. All the Provisions of the secondly, thirdly, and fourthly recited Acts which relate to Chief Clerks and Junior Clerks appointed under the same Acts or any of them, and to the Salaries to be paid to such Chief Clerks and Junior Clerks, and to the Funds out of which such Salaries are to be paid, shall extend and be applicable and are by this Act made applicable to the Chief Clerks and Junior Clerks appointed under this Act, in the same Manner in all respects as if such last-mentioned Chief Clerks and Junior Clerks had been authorized to be appointed and had been appointed under the secondly-recited Act.

The first-recited Act extended to authorize the Appointment and Salaries of Assistant Clerks.

3. The Provisions of the first-recited Act with respect to the Appointment, and also with respect to the Payment of the Salaries, of additional Officers, Clerks, and Messengers in any of the Offices of the Court of Chancery, shall extend to and shall authorize the Appointment and the Payment of Salaries of Assistant Clerks to be attached to the Courts of the Master of the Rolls and Vice-Chancellors respectively.

Certain Appointments of Chief Clerks and Junior Clerks confirmed and made permanent.

4. The Appointment made pursuant to the recited Order of the Twenty-sixth Day of *January* One thousand eight hundred and sixty-five, and the Appointments made by the recited Orders of the Third Day of *November* One thousand eight hundred and sixty-six and the Sixteenth Day of *January* One thousand eight hundred and sixty-seven, and the Salaries ordered to be paid by the recited Orders

Orders of the Seventh Day of *November* One thousand eight hundred and sixty-six, and the Twenty-seventh Day of the same Month, and the Thirty-first Day of *January* One thousand eight hundred and sixty-seven, shall be and the same are respectively hereby confirmed, and shall respectively be considered as permanent Appointments duly made, and as Salaries duly ordered to be paid, under the Provisions of this Act; and the Appointments made of Junior Clerks by or pursuant to the Power contained in the fifthly-recited Act shall be and the same Appointments are hereby declared to be permanent and not determinable with the Continuance in Office of the Chief Clerk appointed by the same Act.

Appointment and Salaries of Assistant Clerks already made confirmed.

5. All Orders of the Court of Chancery made previously to the passing of this Act, appointing or ordering the Payment of the Salaries of Assistant Clerks in the Chambers of the Master of the Rolls or any of the Vice-Chancellors, shall be and the same several Orders are hereby confirmed, and shall respectively be considered as Orders duly made under the Provisions of the first-recited Act as extended by this Act.

Assistant Clerks to hold Office during Pleasure, and obey Directions of Judge.

6. Every Assistant Clerk whose Appointment is confirmed by or shall be made under this Act shall hold his Office at the Pleasure of the Judge to whose Court he is attached, and shall be under the Control of such Judge, and shall attend at such Places, during such Times, and for such Hours in each Day, and perform such Duties as such Judge shall from Time to Time direct.

Power to the Lord Chancellor to transfer any Clerk from one Judge to another.

7. The Lord Chancellor may from Time to Time transfer any Clerk from any one Judge to any other Judge of the Court; provided that every such Transfer be made with the Advice and Consent both of the Judge from whom and of the Judge to whom such Transfer shall be made.

Power to the Lord Chancellor to appoint additional Registrars.

8. It shall be lawful for the Lord Chancellor, by Writing under his Hand, forthwith to appoint an additional or Twelfth Registrar of the Court of Chancery, and also when it shall appear necessary, and shall be so declared by an Order of the Lord Chancellor, to appoint another additional or Thirteenth Registrar of the Court, and from Time to Time, provided it shall appear necessary, and shall be so declared by an Order of the Lord Chancellor, to fill up any Vacancy in either or both of such Offices; and the Person to be appointed to either of such Offices of additional Registrar shall be the Senior of the Clerks to the Registrars of the Court for the Time being, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made; and each such

additional Registrar in Order of his Appointment shall rank next after the Junior of the Registrars for the Time being appointed under the Act passed in the Session of Parliament held in the Fifth Year of the Reign of Her present Majesty, Chapter Five, and the Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, Chapter Eighty-three, or this Act, as the Case may be, and shall personally do and perform all the Duties and have and enjoy all the Rights and Privileges belonging to the Office of Registrar, and shall be subject to the several Provisions and Penalties contained in the Act of the Fifth Year of Her Majesty, Chapter Five, relating to the Registrars of the Court, and be entitled to the like Superannuation Allowance upon the like Conditions as if he had been appointed Registrar by virtue of the same Act: Provided always, that the Acceptance of the Office of additional Registrar by the Senior Clerk for the Time being shall be without Prejudice to all his Rights of Succession to the Office of Registrar under the Two Acts last mentioned.

As to the Payment of the Salary of such additional Registrar.

9. Out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the Account entitled "The Suitors Fee Fund Account," or the other Funds charged with and made liable for the Payment of the Salaries of the present Registrars, there shall be paid to each additional Registrar appointed under the last preceding Section, from the Date of his Appointment, the Salary or net yearly Sum of One thousand two hundred and fifty Pounds, and also, so long as he shall be liable for the Expenses of writing and copying the Decrees and Orders and the Minutes of the Decrees and Orders of the Court, the yearly Sum of One hundred Pounds, on the Days and in the Manner provided by the Act of the Fifth Year of Her Majesty, Chapter Five, as varied by the Act of the Session held in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-seven, with respect to the Payment of the Salaries of the present Registrars.

Power to the Lord Chancellor to alter Salaries and Style of Officers.

10. It shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, as to all the Officers of the Court of Chancery or of any Judge thereof, save as next herein-after mentioned, and for the Master of the Rolls, with the like Consent, as to all the Officers of the Court whose Salaries are or may be fixed by him under any Act of Parliament, from Time to Time to increase or diminish the Amount, or vary the Mode or Terms of Increase, or Manner of Payment, of the Salary (whether fixed or made payable by Act of Parliament or not) of any Officer of the Court of Chancery, or of any Officer of any of the Judges

Judges of the said Court, and also, with the Consent of the Judges of the said Court, to vary the Style and Designation of the Officers of the said Judges now termed "Ushers:" Provided nevertheless, that the Salary, whether immediate or in prospect, to which any Officer may at the Time of the passing of this Act or at any Time afterwards be or become entitled in right of his Office, shall not, after his Appointment to fill such Office, be diminished without his Consent in Writing, nor if the Office be One the Appointment to which is vested in any Judge of the said Court other than the Lord Chancellor without the Consent of such Judge: Provided also, that the Salary of any Person who may be hereafter appointed Accountant General of the said Court shall not exceed Two thousand Pounds *per Annum*.

Cheques drawn by the Accountant General to be countersigned by One of his Clerks instead of by the Registrars.

11. And whereas all Notes or Cheques for Payment of Money drawn by the Accountant General of the Court of Chancery upon the Bank of *England* have been heretofore countersigned by the Registrars of the Court or by the Master of Reports and Entries, pursuant to the Act passed in the Session of Parliament held in the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and the Act passed in the Session held in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Eighty-seven: And whereas it is considered that such countersigning may with Safety be discontinued, and Provision in lieu thereof made as herein-after mentioned: Be it therefore enacted as follows: From and after the First Day of *October* One thousand eight hundred and sixty-seven, the Countersignature by the Registrar of the Court of Chancery and by the Master of Reports and Entries of Notes or Cheques for Payment of Money drawn by the Accountant General of the Court on the Bank of *England* shall be discontinued; and from and after the same Date every Note or Cheque for the Payment of Money which shall be signed by the Accountant General of the Court, and countersigned by any One of the Clerks of the Accountant General who shall from Time to Time be intrusted by him with the Duty of delivering Notes or Cheques to the Parties entitled thereto (the Names and Signatures of the Clerks so intrusted to be from Time to Time made known to the Bank of *England* by the Accountant General), shall be sufficient Authority to the Bank of *England* to pay the Money mentioned in any such Note or Cheque to the Person or Persons named therein, or to such Person as he, she, or they by Endorsement shall order to receive the same: Provided always, that a Countersignature shall not be necessary to any Note or Cheque for Payment of Money to the Chancery Broker as the Consideration for

for the Purchase of any Stocks or Securities, but the Signature thereto of the Accountant General alone shall be sufficient Authority to the Bank of *England* to pay the Money mentioned therein.

24 & 25 Vict. c. 98. as to Forgery of Accountant General's Cheque to apply to this Act.

12. The Provisions contained in the Act passed in the Session held in the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, Chapter Ninety-eight, for the Consolidation of the Law as to Forgery, which have Reference to the forging or altering of any Instrument made or purporting to be made by the Accountant General of the Court of Chancery, shall apply to all Notes or Cheques countersigned or purporting to be countersigned as provided by the last preceding Section, and to the Forgery or Alteration of any Countersignature thereto.

Jurisdiction in Lunacy to be exercised by the Lords Justices sitting separately.

13. All the Jurisdiction, Powers, Authorities, and Duties of the Lords Justices of the Court of Appeal in Chancery under the Lunacy Regulation Act, 1853, or under any other Act, as being intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, may be exercised and performed not only by both of the Lords Justices jointly acting or sitting together, but also by either of them alone acting or sitting separately.

Meaning of Expression "Lord Chancellor."

14. In the Construction of this Act the Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of *Great Britain* and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Short Title.

15. This Act may be cited as "The Court of Chancery (Officers) Act, 1867."

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Indemnity.

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

1. Every Person who, at or before the passing of this Act, hath omitted to take or make or subscribe any Oath, Affirmation, or Assurance, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts, or any of them, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act hath taken and subscribed the Oaths or Oath, Affirmation or Assurance, required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-eight, or, if Parliament be then sitting, before the End of the then Session of Parliament, shall take and subscribe the Oaths or Oath, Affirmation or Assurance, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Affirmation or Assurance, ought to have been taken and subscribed in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission previous to the passing of this Act of taking or making and subscribing any Oaths or Oath, Affirmation or Assurance, required by the said Acts or any of them, or any other Act or Acts; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified himself according to the above-mentioned Acts and every of them; and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly taken or made and subscribed such Oath, Affirmation, or Assurance according to the Directions of the said Acts and every or any of them; and the Qualification of such Person qualifying himself in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person had taken or made and subscribed such Oath or Oaths, Affirmation or Assurance, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.

2. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in the Parliament of *Ireland* in the Second Year of Queen *Anne*, intituled *An Act to prevent the further Growth of Popery:*

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned by neglecting to qualify themselves according to the said Act shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures

feitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oaths, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-eight, or, if Parliament be then sitting, before the End of the then Session of Parliament.

Not to indemnify Persons against whom final Judgment has been given.

3. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Admissions to Corporations may be stamped after the Time allowed.

4. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided, or may not have been stamped, or may have been lost or mislaid:

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-eight, or, if Parliament be then sitting, before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions or Entries of Admissions as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as

as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers, of such Cities, Corporations, and Borough Towns respectively to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission, and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

5. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same as if this Act had never been passed.

General Issue.

6. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

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CAP. LXXXIX.

An Act to render perpetual an Act passed in the Session holden in the Twenty-seventh and Twenty-eighth Years of Her present Majesty, intituled *An Act to permit for a limited Period Compositions for Stamp Duty on Bank Post Bills of Five Pounds and upwards in* Ireland.

[12th *August* 1867.]

WHEREAS by an Act passed in the Session holden in the Twenty-seventh and Twenty-eighth Years of the Reign of Her present Majesty, Chapter Eighty-six, intituled *An Act to permit for a limited Period Compositions for Stamp Duty on Bank Post Bills of Five Pounds and upwards in* Ireland, the Commissioners of Her Majesty's Treasury are empowered to compound and agree, in manner therein mentioned, with any Banker in *Ireland* for a Composition in lieu of the Stamp Duties payable on the Bank Post Bills to be made or drawn by such Banker at any Time during the Period of Three Years from the passing of the said Act for any Sum of Money amounting to Five Pounds and upwards; 27 & 28 Vict. c. 86.

And

And whereas it is expedient to make perpetual the Powers conferred by the said Act:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of 27 & 28 Vict. c. 86. made perpetual.

1. The Powers conferred by the said Act of the Session of the Twenty-seventh and Twenty-eighth Years of the Reign of Her present Majesty shall be perpetual, and the said Act shall be construed as if the Words "during the Period of Three Years from the passing of "this Act" had been omitted therefrom.

Short Title.

2. This Act may be cited for all Purposes as "The Stamp Duty Composition (*Ireland*) Act, 1867."

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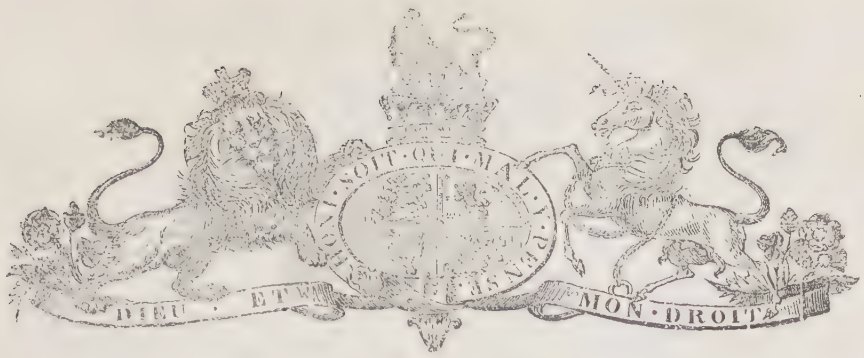

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CAP. XC.

An Act to alter certain Duties and to amend the Laws relating to the Inland Revenue.

[12th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

As to Excise.

Alteration of Excise Duties on Licences to deal in Gold and Silver Plate.

1. In lieu of the Duties now payable in *Great Britain* on Licences to Persons trading in, vending, or selling Gold or Silver Plate, and in *Ireland* on Licences to Persons to sell or make Gold or Silver Plate, there shall from and after the Fifth Day of *July* One thousand eight hundred and sixty-seven be charged and paid the following Excise Duties on Licences to deal in Plate to be taken out yearly in the United Kingdom by the Persons herein-after mentioned; (that is to say,)

By every Person who shall trade in or sell any Article composed wholly or in part of Gold or Silver, in respect of every House, Shop, or other Place in which his Trade or Business shall be carried on—

Where the Gold shall be above Two Pennyweights and under Two Ounces in Weight, or the Silver above Five Penny-

 weights

weights and under Thirty Ounces in Weight, the Sum of Two Pounds Six Shillings;

Where the Gold shall be of the Weight of Two Ounces or upwards, or the Silver of the Weight of Thirty Ounces or upwards, the Sum of Five Pounds Fifteen Shillings:

By every Person duly licensed as a Hawker, Pedlar, or Petty Chapman who shall sell in the ordinary Course of his trading as a Hawker, Pedlar, or Petty Chapman any Article composed wholly or in part of Gold or Silver, the same Duties as above mentioned according to the Weight of the Gold or Silver:

By every Pawnbroker who shall trade in or sell any Article composed wholly or in part of Gold or Silver, or who shall take in Pawn, or deliver out of Pawn, any such Article in respect of every House, Shop, or other Place in which his Trade or Business shall be carried on, the Sum of Five Pounds Fifteen Shillings:

By every Refiner of Gold or Silver in respect of every House, Shop, or other Place as aforesaid, the Sum of Five Pounds Fifteen Shillings.

Provisions of former Acts to apply to the Duties on Plate Licences.

2. The Duties granted by this Act on Licences to deal in Plate and the said Licences shall be Excise Duties and Licences, and shall be under the Management of the Commissioners of Inland Revenue, and all the Powers, Provisions, Clauses, Regulations, and Directions contained in or imposed by any Act relating to Excise Duties or Licences, or to Penalties under Excise Acts, and now or hereafter in force, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and the Licences relating thereto, and to the Penalties hereby imposed, so far as the same are applicable, and shall be observed, applied, and enforced for and in the collecting, securing, and recovering of the said last-mentioned Duties and Penalties hereby granted and imposed respectively, and the granting and Management of the said Licences, and otherwise in relation to the said Duties, Penalties, and Licences, so far as the same shall be consistent with and not superseded by the express Provisions of this Act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said last-mentioned Duties, Penalties, and Licences respectively.

Penalty for dealing in Plate without Licence, 50*l.*

3. Every Person who shall do any Act, or carry on any Trade or Business for which a Licence to deal in Plate is required by this Act, without having in force a proper Licence authorizing him so to do, shall for every Offence forfeit the Sum of Fifty Pounds; and in any Proceeding for the Recovery of such Penalty it shall be sufficient

to

to allege that the Defendant did deal in Plate without a proper Licence in that Behalf, and it shall not be necessary further or otherwise to describe the Offence.

Plate Licence not necessary for the Sale of Lace, Wire, &c.

4. No Licence to deal in Plate shall be necessary to enable any Person to trade in, or sell, or to take in Pawn, or deliver out of Pawn, Gold or Silver Lace, or Gold or Silver Wire, Thread, or Fringe.

Goods sold for Gold or Silver to be deemed to be so.

5. All Articles sold or offered for Sale, or taken in Pawn or delivered out of Pawn, and alleged to be composed wholly or in part of Gold or Silver, shall, for the Purposes of this Act, be deemed and taken to be composed of Gold and Silver respectively as alleged; and if upon the Hearing of any Information for any Offence against this Act any Question shall arise touching the Quantity of Gold or Silver contained in any Article the Proof of such Quantity shall lie upon the Defendant.

Plate Licences to expire on 5th July in each Year.

6. Every Licence to deal in Plate taken out under this Act shall be dated the Day on which the same shall be granted, and shall expire on the Fifth Day of *July* next after the granting of the same: Provided that every Person who at the Time of the passing of this Act shall be the Holder of a Licence to sell or make Gold or Silver Plate in *Ireland*, expiring on the Fifth Day of *January* in the Year One thousand eight hundred and sixty-eight, shall, if he shall take out a Licence to deal in Plate under this Act at any Time before the First Day of *February* in the same Year, be entitled to have the same upon Payment of One Half the Duty chargeable upon such Licence under this Act.

Repeal of Enactments specified in Schedule A.

7. The several Sections and Parts of Sections of the Acts specified in the Schedule A. to this Act annexed shall be repealed, save as to any Duties due or in arrear, and as to any Penalties incurred on or before the passing of this Act.

Repealing so much of Acts as require Entries to be made by Coffee, Tea, and Tobacco Dealers.

8. So much of any Act as requires a Seller of or Dealer in Coffee, Tea, Cocoa Nuts, or Chocolate to make Entry of any Premises for the keeping or selling the same is hereby repealed, and so much of any Act as requires a Dealer in and Retailer of Tobacco or Snuff to make Entry of any Premises for storing, keeping, or selling of Tobacco or Snuff is also hereby repealed: Provided that where a Manufacturer of Tobacco or Snuff shall be a Dealer therein or Retailer thereof in any Premises adjoining his Manufactory such Premises shall be entered together with the Manufactory.

Section 25 of 6 G. 4. c. 81. to con-

9. Notwithstanding the Enactment contained in the preceding Section, the Provisions of Section Twenty-five of the Act of the Sixth

tinue in force with respect to Tea and Tobacco Dealers.

Sixth of *George* the Fourth, Chapter Eighty-one, shall continue in force, and be deemed to apply to every Person who shall have taken out a Licence to trade in or sell Coffee, Tea, Cocoa Nuts, or Chocolate, or a Licence to deal in or sell Tobacco or Snuff; and in the Construction of the said Section Twenty-five in relation to such Person the Expression "entered Premises" shall be deemed to mean the Premises wherein his Trade or Business is exercised or carried on.

Power to Officers of Excise to examine Coffee, Tea, Tobacco, &c. in possession of Dealers.

10. It shall be lawful for any Officer of Excise at any Time (but if between the Hours of Eleven at Night and Five in the Morning, then in the Presence of a Constable or other lawful Peace Officer,) to enter into the Premises of every Person who shall sell or deal in or who shall have taken out a Licence to sell or deal in Coffee, Tea, Cocoa Nuts, Chocolate, Tobacco, or Snuff, and to examine all Coffee, Tea, Cocoa Nuts, Chocolate, Tobacco, or Snuff in the Premises of such Person.

Part of Section 5 of 4 & 5 W. 4. c.51., relating to Entries, repealed.

11. So much of Section Five of the Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Fifty-one, as enacts that the Officer of Excise who shall have received such Entry as is in the said Section mentioned shall copy the same into the Book kept and known by the Name of the General Entry Book for the Division or Ride in which the House, Building, Room or Place, Vessel or Utensil described in such Entry shall be intended to be used, and that the Supervisor of the District shall examine and compare the Copy so made in such Book as aforesaid with the original Entry, is hereby repealed, except as to any Entry made before the passing of this Act.

Entries to be kept in a Book, which is to be Evidence in any legal Proceeding.

12. The Commissioners of Inland Revenue shall furnish the Officer of Excise of every Division or Ride with a Book, to be called the General Entry Book of such Division or Ride, and such Officer upon receiving any such Entry as is mentioned in the said Fifth Section of the Act of the Fourth and Fifth of King *William* the Fourth, Chapter Fifty-one, shall forthwith securely affix the same in such Book, and such Officer on his being removed from such Division or Ride shall deliver over such Book, together with the Entries contained therein, to the Officer succeeding him in such Division or Ride; and where upon the Trial of any Indictment, Information, Action, Suit, or Prosecution, or upon any other legal or judicial Proceeding whatsoever, any Question shall be made or shall arise whether any House, Building, Room or Place, Vessel or Utensil of which Entry is required to be made under any Act of Parliament relating to the Revenue of Excise was entered by the Person by whom the same shall have been used, it shall be deemed and taken to be sufficient

Proof

Proof of such Entry if upon the Production by any Officer of Excise of the said General Entry Book of the Division or Ride in which such House, Building, Room or Place, Vessel or Utensil shall have been used, such House, Building, Room or Place, Vessel or Utensil shall be found in any Entry contained in such Book purporting to have been made by any such Person without further Evidence; and if upon the Production of such Book no such House, Building, Room or Place, Vessel or Utensil shall be found in any Entry contained therein, or if found shall appear to have been entered for another or different Purpose than the Purpose for which the same shall be charged or alleged to have been used by such Person, every such House, Building, Room or Place, Vessel or Utensil shall be deemed and taken to be unentered, unless by other Evidence the contrary be made to appear: Provided always, that nothing herein contained shall be deemed to repeal or alter the Provisions of any former Act relating to the Proof of any such Entry as aforesaid made before the passing of this Act.

Sects. 4 & 5 of 1 W. 4. c. 64., relating to Beer Retailers Bonds, repealed.

13. Sections Four and Five of the Act passed in the First Year of the Reign of King *William* the Fourth, Chapter Sixty-four, relating to Bonds to be entered into by Persons requiring Licences to retail Beer under that Act, are hereby repealed.

Sect. 22 of Petty Sessions (Ireland) Act, 1851, not to apply to Penalties under 1 & 2 W. 4. c. 55. as to Illicit Distillation.

14. Whereas the Twenty-second Section of the Petty Sessions (*Ireland*) Act, 1851, contains a Provision that in every Case of summary Jurisdiction where the Justices shall be authorized to award any penal or other Sum they may order that the same shall be paid either forthwith or at such Time as they shall see fit to fix: Be it enacted, That the said Provision shall not extend to any Penalty which shall be awarded for any Offence committed against the Provisions of the Act of the First and Second Years of the Reign of King *William* the Fourth, Chapter Fifty-five, intituled *An Act to consolidate and amend the Laws for suppressing the illicit making of Malt and Distillation of Spirits in* Ireland.

Provisions contained in Sect. 8. of 25 Vict. c. 22. extended to all Brewers.

15. The Provisions contained in the Eighth Section of the Act passed in the Twenty-fifth Year of the Reign of Her present Majesty, Chapter Twenty-two, shall extend to and be applied and put in force in the Case of every Brewer of Beer for Sale, whether he shall have taken out a Licence as a Brewer of Beer for Sale for the First Time or otherwise.

Sect. 19 of 19 & 20 Vict. c. 34. extended to

16. Whereas by the Nineteenth Section of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter Thirty-four, it is enacted, that all Corn or Grain found

roasted Malt in possession of a Brewer.

in the Custody or Possession of any Roaster of Malt or Dealer in roasted Malt, which Corn or Grain shall not have germinated to such a Degree that the Plumule thereof shall have been elongated to the Extent of One Half of the Length of the Grain, shall be deemed to be unmalted Corn or Grain within the Meaning of an Act passed in the Second Session of Parliament holden in the Fifth Year of Her Majesty's Reign, Chapter Thirty: Be it enacted, That all roasted Corn or Grain found in the Custody or Possession of any Brewer of Beer for Sale which shall not have germinated to the Degree aforesaid, subject as in the recited Enactment is expressly provided, shall be deemed to be unmalted Corn or Grain within the Meaning of the Seventeenth Section of an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, Chapter Fifty-one; and that all Corn or Grain, whether roasted or unroasted, found in the Custody or Possession of any Roaster of Malt which shall not have been perfectly dried upon the Kiln at the Malthouse at which the same shall have been steeped to be made into Malt, shall also be deemed to be unmalted Corn or Grain within the Meaning of the said Act of the Second Session of Parliament holden in the Fifth Year of Her Majesty's Reign.

Undried Malt in possession of a Malt Roaster to be deemed unmalted Grain.

Penalty upon unlicensed Persons (not being Travellers for licensed Persons) soliciting Orders for Spirits, Wine, &c.

17. If any Person shall solicit, take, or receive any Order for Spirits, Wine, or other Article, for the dealing in, retailing, or selling whereof an Excise Licence is by Law required, without having in force a proper Excise Licence authorizing him so to do, he shall forfeit the Penalty imposed by Law upon a Person dealing in, retailing, or selling such Article without having an Excise Licence in force authorizing him so to do; and in any Case in which the Place of Business or Residence of the Offender shall not be known to the Officer of Excise who shall exhibit any Information for the Recovery of such Penalty as aforesaid, or, if known, shall be out of the United Kingdom, it shall be sufficient Service of the Notice and Summons required to be given to a Defendant by any Law of Excise if the same be left at the House or Place where the Offender shall have solicited, taken, or received any such Order as aforesaid, addressed to such Offender: Provided always, that nothing herein contained shall be deemed to apply to the Sale of any Spirits or Foreign Wine while the same shall be and remain in the Warehouse or Warehouses in which the same shall have been deposited, lodged, or secured according to Law, before Payment of Duty upon the Importation thereof, where such Spirits or Foreign Wine shall be sold in a Quantity not less than One hundred Gallons at One Time, or to impose a Penalty upon a *bonâ fide* Traveller taking Orders for Goods which his Employer is duly licensed to deal in or sell.

18. After

Reduction of Duty on Licences to Retailers of Methylated Spirit.

18. After the First Day of *October* in the Year of our Lord One thousand eight hundred and sixty-seven the annual Duty payable upon a Licence to be taken out by a Retailer of Methylated Spirit under the Provisions contained in the Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, shall be the Sum of Ten Shillings.

Lime and Magnesia in Snuff not to exceed certain Proportions.

19. Whereas by an Act passed in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Ninety-three, Lime Water is permitted to be used in the Manufacture of *Welsh* and *Irish* Snuff, and it is expedient to limit the Quantity of Lime that may be used in such Manufacture: Be it enacted, That if any Person being a Manufacturer of, Dealer in, or Retailer of Tobacco or Snuff shall have in his Custody or Possession any Snuff in which on Examination thereof there shall be found to be any Quantity of the Oxides of Calcium and Magnesium, or of either of such Oxides, exceeding by One *per Centum* the Proportion of the Quantity of such Oxides contained in the Tobacco or Tobacco Stalks or Returns of Tobacco from which such Snuff shall have been manufactured or shall be in course of Manufacture, or if any such Person shall have in his Custody or Possession any Snuff in which on Examination thereof there shall be found any Quantity of the said Oxides, or of either of them, exceeding the Proportion of Thirteen Pounds Weight of such Oxides in every Hundred Pounds Weight of such Snuff, he shall forfeit Two hundred Pounds and also the said Snuff: Provided that any Sample of Snuff, Tobacco, or Tobacco Stalks or Returns of Tobacco which shall be examined for the Purpose of ascertaining the Quantity of the said Oxides contained therein shall first be dried at a Temperature of Two hundred and twelve Degrees as denoted by *Fahrenheit*'s Thermometer; and for the Purposes of this Section the Term "Snuff" shall include all Snuff and all Tobacco, Tobacco Stalks and Returns of Tobacco, which shall be in course of Manufacture into Snuff.

As to Stamps.

Stamp Duties granted on certain Documents.

20. From and after the passing of this Act the following Documents shall be charged with the Stamp Duty of One Penny; that is to say,

Letters of Allotment.

Letter of Allotment of any Share of any Company or proposed Company, or in respect of any Loan raised or proposed to be raised by any such Company, or Letter of Allotment issued or delivered in the United Kingdom of any Share of any Foreign or Colonial Company or proposed Company, or in respect of any Loan raised or proposed to be raised by or on behalf of any

any Foreign or Colonial Government, State, Company, or Corporation; and the Term "Letter of Allotment" hereinbefore used shall include Letter of Renunciation or other Document having the Effect of a Letter of Allotment in favour of any Person:

Scrip Certificates. Scrip Certificate or other Document entitling any Person to become the Proprietor of any Share of any Company or proposed Company, or Scrip Certificate or other Document issued or delivered in the United Kingdom entitling any Person to become the Proprietor of any Share of any Foreign or Colonial Company or proposed Company:

Scrip. Scrip or other Document denoting or intended to denote the Right of any Person as a Subscriber in respect of any Loan raised or proposed to be raised by any Company, or any Scrip or other Document issued or delivered in the United Kingdom denoting or intended to denote the Right of any Person as a Subscriber in respect of any Loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Company, or Corporation.

Penalty for signing, &c. Documents chargeable with Duty before stamped.

21. If any Person shall sign, grant, issue, or deliver any Document chargeable with Stamp Duty under the Provisions of the Section lastly herein-before contained, before the same shall be duly stamped for denoting the said Duty, he shall forfeit the Sum of Twenty Pounds.

Section 8 of 16 & 17 Vict. c. 63. repealed.

22. Section Eight of the Act of the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, is hereby repealed.

Stamp Duties on Transfer of certain Bonds.

23. The Stamp Duties chargeable under an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, on the Transfer or Assignment, Disposition or Assignation of Bonds shall cease and determine, and from and after the passing of this Act there shall be charged and paid for and upon every Transfer or Assignment, Disposition or Assignation of any Bond given as a Security for the Payment or Repayment of Money, or for the Transfer or Retransfer of any Share in any of the Stocks or Funds mentioned in the Schedule to the said Act, and of any Bond, Debenture, or other Security charged with Stamp Duty by an Act passed in the Twenty-fifth Year of Her Majesty's Reign, Chapter Twenty-two, the following Stamp Duties; (that is to say,) for every full Sum of One hundred Pounds, and also for any fractional Part of One hundred Pounds, thereby transferred, assigned,

or

or disponed of the Amount or Value of the Principal Money or Stock secured by such Bond, Debenture, or other Security, or of the Penalty of the Bond in respect whereof the same is charged with Duty, as the Case may be, the Duty of Sixpence: Provided always, that in the Case of a Bond charged with the fixed maximum Duty of One Pound or One Pound Fifteen Shillings no Transfer, Assignment, Disposition, or Assignation thereof hereby charged shall be chargeable under this Act with more than the Amount of such fixed maximum Duty.

Certain Licences granted by Ecclesiastical Authority not chargeable with Stamp Duty.

24. No Stamp Duty shall be chargeable for or upon any Licence to be granted by any Archbishop, Bishop, Chancellor, or other Ordinary in *England* or *Ireland*, or by any Presbytery or other Ecclesiastical Power in *Scotland*, for the Purpose of authorizing or enabling any Person to preach or exercise any other Spiritual Function, such Licence not being a Licence to hold the Office of Lecturer, Reader, or Chaplain, and there being no Salary or Emolument for, or attached to, the Exercise of the Function for which such Licence may be granted.

As to Taxes.

As to Exemption of Trade Premises from Inhabited House Duty.

25. From and after the Fifth Day of *April* One thousand eight hundred and sixty-seven, in order to entitle the Occupier of any Tenement or Building, or Part of a Tenement or Building, to Exemption from Inhabited House Duties on the Ground of such Premises being occupied as a House for the Purposes of Trade only, or as a Warehouse for the sole Purpose of lodging Goods, Wares, or Merchandise therein, or as a Shop or Counting-house, or being used as Offices or Counting-house, it shall not be necessary to prove, nor shall Proof be required, that such Occupier resides in a separate and distinct Dwelling House or Part of a Dwelling House charged with the said Duties.

Extending Time for hearing Appeals.

26. From and after the passing of this Act it shall be lawful for the Commissioners executing the several Acts relating to the Duties of Assessed Taxes to hear and determine Appeals against Charges certified under the said Acts at any Time within Twenty-one Days after the Close of the Year to which such Charges relate.

SCHEDULE A., containing the Enactments repealed by Section 7. of this Act.

Act.	Subject.	Extent of Repeal.
31 Geo. 2. c. 32.	For granting a Duty on Licences to be taken out by all Persons dealing in Gold or Silver Plate, &c. &c.	Sections 2, 3, 4, 6, 7, 10, 11, 12, 13.
32 Geo. 2. c. 24.	To amend the Law relating to Licences to deal in Gold and Silver Plate.	Sections 1, 2, 3, 4, 5, 6, 7, 8.
59 Geo. 3. c. 32.	To continue an Act granting additional Duties of Excise.	Section 3.
6 Geo. 4. c. 118.	To transfer Collection of Plate Licences from Commissioners of Excise to Commissioners of Stamps.	So much of Section 1 as relates to Licences to Persons to sell or make Gold or Silver Plate in Ireland.—Sections 2, 3.
9 Geo. 4. c. 49.	To amend the Laws relating to Licences to Dealers in Gold and Silver Plate, &c. &c.	So much of Section 12 as relates to Licences to deal in Plate.
5 & 6 Vict. c. 82.	To assimilate the Stamp Duties in Great Britain and Ireland, &c. &c.	So much of Section 2 as relates to Licences to Persons to sell or make Gold or Silver Plate in Ireland.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XCI.

An Act to authorize an Alteration in the Mode of Repayment of a Loan made by the *West India* Relief Commissioners to the Island of *Dominica*.

[12th *August* 1867.]

WHEREAS the Commissioners acting in execution of an Act of the Session of the Second and Third Years of King *William* the Fourth, Chapter One hundred and twenty-five, (herein-after referred to as the *West India* Relief Commissioners,) did in pursuance of the Provisions of an Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty-one, advance by way of Loan the Sum of Ten thousand Pounds for the Public Service of the Island of *Dominica*: And whereas in pursuance of the Provisions of an Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Fifty-seven, the Commissioners of Her Majesty's Treasury directed the *West India* Relief Commissioners to accept in liquidation of the Balance of the said Loan, and of the Arrears of Interest on such Loan, an Annuity of Five hundred and fifty-five Pounds Fifteen Shillings for Twenty Years, the First Payment of which was to be made on the Thirty-first Day of *March* One thousand eight hundred and sixty-one: And whereas the said Annuity of Five hundred and fifty-five Pounds Fifteen Shillings

2 & 3 W. 4. c. 125.

5 & 6 W. 4. c. 51.

23 & 24 Vict. c. 57.

was

was regularly paid up to the Thirty-first Day of *March* One thousand eight hundred and sixty-five, when the last Payment was made: And whereas the Government of the Island of *Dominica* were lately obliged to raise a Loan of Four thousand Pounds, repayable with Interest in Four Years: And whereas the Revenues of the Island of *Dominica* are insufficient to provide for the Repayment of the Loan of Four thousand Pounds and Interest within Four Years, and also for the Payment during those Years of the said Annuity, and consequently the Commissioners of Her Majesty's Treasury have proposed to the Government of *Dominica* the following Terms, namely, that on the Government of *Dominica* making a legal Provision for the Payment of an increased Annuity for Eleven Years of such an Amount as the said Commissioners might consider an Equivalent for the former Annuity, the First Payment of such increased Annuity to be made on the Thirty-first Day of *March* One thousand eight hundred and seventy, and the remaining Payments on the same Day in the Ten subsequent Years, the said Commissioners would be prepared to ask Parliament to sanction the Substitution of such increased Annuity for the said former Annuity: And whereas it is expedient that the Commissioners of Her Majesty's Treasury should be authorized to direct the *West India* Relief Commissioners to accept the said increased Annuity in substitution for the said former Annuity:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may direct the Acceptance of an increased Annuity in lieu of Annuity now payable by Dominica.

1. It shall be lawful for the Commissioners of Her Majesty's Treasury, if it appears to them that the Legislature of the Island of *Dominica* has made legal Provision for the Payment of such increased Annuity as herein-before mentioned, to direct that such increased Annuity be accepted in substitution for the said former Annuity.

Short Title.

2. This Act may be cited for all Purposes as "The *Dominica* Loan Act, 1867."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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C A P. XCII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [12th *August* 1867.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, including the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases Allowances of Retired Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, also to Adjutants, Paymasters, Surgeons, and Quartermasters of the Regular Militia, who have been allowed to retire, and to Adjutants disabled after long Service:

Militia Pay.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary of State for War to issue the Money required for Pay, &c. of Regular Militia, as herein stated.

1. The Secretary of State for War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied) in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the Permanent Staff of the said Regular Militia at the daily Rates following; (that is to say,)

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
For each Adjutant - - - - -	0	10	0	0	10	0
„ Quartermaster, where One is appointed in Corps consisting of not less than 360 Private Men - - - - -	0	5	0	0	5	0
and of less than 360 Private Men -	0	3	6	0	3	6
„ Serjeant Major, where One is appointed in Corps consisting of Two or more Companies - - - - -	0	3	2	0	3	8
„ Quartermaster Serjeant (in Corps whose Establishment exceeds Four Companies) and for the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) - -	0	2	8	0	3	0
	0	2	8	0	3	0
„ Serjeant Instructor of Musketry or Gunnery	0	2	0	0	2	8
„ Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) -	0	2	0	0	2	8
„ Serjeant, Orderly Room Clerk, Drum Major, or Bugle Major - - -	0	2	0	0	2	8
„ Drummer, Trumpeter, Bugler, or Fifer above Sixteen Years of Age - -	0	1	3	0	1	5
and if under Sixteen Years of Age -	0	1	0	0	1	0

Provided always, that when any Non-commissioned Officer or Man on the Permanent Staff shall be absent on Furlough or Licence, he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled:

And the Secretary of State for War for the Time being shall give the necessary Instructions for the Provision of Clothing for each Non-commissioned Officer or Man on the Permanent Staff of the Militia of *Great Britain* and *Ireland* who shall be resident at Head Quarters, and the said Permanent Staff shall be entitled to be clothed once in Two Years.

Members of the Permanent Staff

2. Except when employed as herein-after provided, every Member of the Permanent Staff of the Regular Militia, when disembodied,

disembodied, shall reside in such Places as shall be sanctioned by the Secretary of State for War, and every such Member shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers and Men at the same Time.

to reside where the Secretary of State for War shall appoint.

3. Every Member of the Permanent Staff, when not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea* Hospital, in such Manner as One of Her Majesty's Principal Secretaries of State may determine: Provided always, that the Senior Officer shall have the Command of the Force so employed.

And may be employed in their Counties.

4. The Quartermaster of each Regiment of Militia in which a Quartermaster is appointed and receives daily Pay under the Provisions of the First Section of this Act, and when no Quartermaster is appointed, then the Adjutant of each Regiment of Militia, shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant; and the Adjutant shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money: Provided always, that it shall and may be lawful for the Secretary of State for War to order and direct that the Arms, Accoutrements, and other Stores, or any Part thereof, belonging to any Regiment, Battalion, or Corps of Militia of the United Kingdom shall at any Time,

Quartermaster, &c. to have Charge of the Arms and Clothing.

Adjutant to issue the Money for contingent Expenses on an Order signed by the Colonel.

Balance to form a Stock Purse.

Power to Secretary of State for War to order Arms, &c. to be deposited in War Office

Stores, while disembodied.

Time, while such Regiment, Battalion, or Corps shall not be embodied or in actual Service, be conveyed to and deposited and kept in any of Her Majesty's War Office Stores.

Commanding Officers may appoint Non-commissioned Officers.

5. It shall be lawful for the Commanding Officer of every Regiment of Militia from Time to Time to appoint, subject to such Regulations as shall from Time to Time be made by the Secretary of State, and, at Pleasure, to remove all Non-commissioned Officers on the disembodied Staff of the said Regiment.

In Absence of the Adjutant, the Serjeants to be under the Command of the Quartermaster, and, in his Absence, of the Serjeant Major.

6. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Permanent Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Permanent Staff shall be under the Command of the Quartermaster in Cases in which One is appointed, and when no Quartermaster is appointed or is present, then under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant and Quartermaster; and the said Quartermaster and Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Persons receiving Pay as Members of Permanent Staff of Militia to be subject to Mutiny Act.

7. All Persons receiving Pay as Members of the Permanent Staff of any Militia Regiment shall be subject to the Provisions of the Mutiny Act and Articles of War for the Time being in force, and shall be entitled to be billeted in like Manner as Officers and Soldiers of Her Majesty's Army, and the Innkeepers and others who are liable to have Officers and Soldiers billeted on them shall provide the Members of the Permanent Staff with convenient Lodging, Fire, and Candle, and in default thereof be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets, as prescribed by the Mutiny Act for the Time being in force.

Militia when called out for Training or Exercise entitled to Pay, &c. as herein stated.

8. The Officers and Volunteer Non-commissioned Officers and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the following daily Rates of Pay and Allowances:

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
Colonel - - - -	1	2	6	1	2	6
Lieutenant-Colonel - - - -	0	15	11	0	15	11
Major - - - - -	0	14	1	0	14	1
Captain (including non-effective Allowance) -	0	10	6	0	10	6
Lieutenant - - - -	0	6	6	0	6	6

Militia Pay.

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
Ensign	0	5	3	0	5	3
Adjutant, if acting also as Paymaster in Corps consisting of Four Companies and upwards	0	3	9	0	3	9
if acting also as Paymaster in Corps consisting of less than Four Companies	0	2	6	0	2	6
Adjutant, if acting also as Paymaster and Quartermaster in Corps consisting of Four Companies and upwards	0	7	0	0	7	0
„ if acting also as Paymaster and Quartermaster in Corps consisting of less than Four Companies	0	4	6	0	4	6
Quartermaster (if not holding a Subaltern's Commission, nor on the Permanent Staff)	0	6	6	0	6	6
„ (if holding a Subaltern's Commission, and if not on the Permanent Staff)	0	3	6	0	3	6
„ (if on the Permanent Staff in Corps of not less than 360 Private Men)	0	1	6	0	1	6
„ (if on the Permanent Staff in Corps of less than 360 Private Men)	0	3	0	0	3	0
Surgeon	0	11	4	0	11	4
Assistant Surgeon	0	7	6	0	7	6
Serjeant Instructor of Musketry or Gunnery, in addition to the daily Rate of Pay granted by Sec. 1.	0	1	0	0	1	0
Serjeant (not on the Permanent Staff)	0	1	$8\frac{3}{4}$	0	2	8
Corporal	0	1	$4\frac{1}{4}$	0	1	$6\frac{1}{4}$
Private	0	1	2	0	1	4
Command Allowance to the Officer actually in Command during Training and Exercise, if the Pay of Colonel is not drawn	0	3	0	0	3	0
Beer Money to each Non-commissioned Officer, Drummer, and Man (including the Permanent Staff) present at Training and Exercise	0	0	1	0	0	1

Volunteers punished for Absence from Training, and shall afterwards serve for an additional Period, to receive Bounty under 15 & 16 Vict. c. 50.

9. Whenever a Volunteer who has been punished for Absence from any annual Training shall subsequently thereto serve for an additional Year or Years for any annual Period or Periods of Training and Exercise from or during which he absented himself, he shall be entitled to receive the same Bounty which, under the Regulation under the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, would have been payable to him during or in respect of Attendance at Training and Exercise.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

10. Volunteers shall, with the Sanction of the Secretary of State for War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

Volunteers may be transferred to another

11. Volunteers may, if they desire, be transferred to another Regiment, with the Consent of the Commanding Officers of both

Regiment without being re-sworn.

Regiments, whether of *Great Britain* or *Ireland*, without being required to take any Oath other than that which they took on their original Enrolment.

Certain Officers unfit for Duty entitled to a retired Allowance, upon making the following Declaration.

12. And whereas certain Lieutenants, Ensigns, and Surgeons Mates of the Militia of *Great Britain*, or Subaltern Officers and Assistant Surgeons of the Militia of *Ireland*, when unfit for further Duty, have been placed upon a retired Allowance equal to and instead of the Allowance granted to them on the disembodying of the Militia at the Termination of the War in the Year One thousand eight hundred and fifteen: And whereas certain Paymasters, Surgeons, and Quartermasters, when unfit for Duty, have also been placed on a retired Allowance equal to and instead of their reduced Allowances granted to them in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth: All such Paymasters, Surgeons, Quartermasters, Subalterns, Surgeons Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowances, shall make and subscribe the following Declaration; (*videlicet*,)

Form of Declaration.

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, besides my Allowance of per Diem as a of the said Militia, except my Half Pay or Civil Pension as a .'

Out-Pension to reduced Non-commissioned Officers and Drummers not to be received while serving.

13. And whereas certain Non-commissioned Officers and Drummers of the Militia of the United Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied Staff, been placed on the Out-Pension, although not unfit for further Service: No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

14. Provided always, That any Person, being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training;

Training; and the receiving any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided also, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Members of the Permanent Staff, &c. not to lose their Right to Chelsea or Kilmainham Pensions, &c.

15. Provided always, That no Member of the Permanent Staff in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to be made for Medicines.

16. There shall be granted for each Regiment of Regular Militia a Sum of Money after the Rate of One Guinea for every One hundred Rank and File effective Men during the Period of Training and Exercise, for the Expense of necessary Medicines for the sick Non-commissioned Officers and Men thereof, including the Non-commissioned Officers and Men of the Permanent Staff and their Wives and Families, and also an Allowance of Twopence *per* Week, excluding the Period of Training and Exercise, for the Expenses of necessary Medicines and Attendance for the sick Non-commissioned Officers and Men of the Permanent Staff and their Wives and Families while such Regiment is not called out for Training and Exercise.

Reduced Adjutants to receive 4*s.* per Day till 31st July 1868.

17. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction from the Thirty-first Day of *July* One thousand eight hundred and sixty-seven, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and sixty-eight, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants

Right to Half Pay reserved.

Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Allowances to Adjutants, Surgeons, and Quartermasters.

18. And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit for further Service: Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Allowances granted to Adjutants on Completion of certain Periods of Service.

19. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland* on the Completion of the following Periods of Service in Her Majesty's Regular or *Indian* Forces, or in the Army of the *East India* Company, and in the Militia, if unfit, either by Age or Infirmity, for the Performance of the Duties of their Commissions; (that is to say,)

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem*:

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem*:

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem*:

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem*:

Provided that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary of State for War of a Certificate of such Service and Disability; and upon the Order of the Secretary of State for War, founded upon such Certificate, the Paymaster General shall pay to such Adjutant the above Allowance: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government;

Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary of State for War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment.

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

20. And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia: The said Allowances shall be issued and paid during the Continuance of this Act, under the Restrictions and in the Manner herein-after expressed: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

A Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.

21. Every Adjutant of Local Militia who shall claim under the Authority of this Act to receive any Part of the said Allowance shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,)

'I *A.B.* do solemnly and sincerely declare, That I was serving as 'Adjutant in the of Local Militia at the Reduction 'of the Staff of the said Militia in One thousand eight hundred and 'twenty-nine; and that I was not in Holy Orders during any Part 'of the Period for which I now claim to receive an Allowance, that

'is to say, from the Day of One thousand 'eight hundred and to the Day of 'One thousand eight hundred and ; and that I did not 'hold or enjoy, nor did any Person for me hold or enjoy, during 'any Part of the said Period, any Place, Office, or Employment of 'Profit, Civil or Military, under the Crown or any other Govern- 'ment, besides the Allowance of a Day now claimed, 'except my Half Pay as a [of the Army *or* Navy 'or Marines, *or* of a Provisional Battalion formed from the Militia, 'as the Case may be].'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Adjutant claiming the Allowance: Provided always, that any Adjutant receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Adjutant after Five Years Service may be appointed to serve with Rank of Captain.

22. Any Adjutant who has served as such in the Embodied or Disembodied Militia for Five consecutive Years immediately preceding the Appointment herein-after referred to may, on the Recommendation of the Colonel or other Commandant of the Militia Regiment in which he has been serving as aforesaid, be appointed by the Lord Lieutenant of the County, Riding, or Place from which such Regiment has been raised to serve with the Rank of Captain, subject nevertheless to all the same Restrictions as to Rank, Command, and Pay as are now in force with reference to other Adjutants now serving with the Rank of Captain.

Allowance to Clerks of General Meetings, &c.

23. Where the Militia is raised by Ballot in *Great Britain* Allowances shall be made and issued to the Clerks of General and Subdivision Meetings of Lieutenancy and others mentioned in Schedule A. to this Act for their Trouble and Expenses in the Execution of the Laws relating to the Militia at the Rates mentioned in the same Schedule; and where the Militia is raised in the United Kingdom otherwise than by Ballot, Allowances shall be made and issued to the Clerks of General Meetings for their Trouble and Expenses in the Execution of such Laws at the Rates mentioned in the Schedule B. to this Act.

Manner of granting Allowances.

24. The said Allowances shall be granted as follows; (*videlicet,*) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden

Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon;* and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, so far as regards my Interest therein, is a just and true Account of Business performed by me for and in behalf of the Public Service according to the Manner therein set forth; and the Sums claimed as disbursed were actually paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in Scotland.

'I do solemnly declare, That I am the Parochial Schoolmaster [*or* Constable *or other Officer*] of the District of in the Subdivision of the County of ; and that the preceding Account is a just and true Account of Business actually performed by myself for and in behalf of the Public Service according to the Manner therein set forth; and that I was employed on such Business the full Time therein stated; and that the Sums claimed as disbursed were actually paid by me.'

And the said Accounts shall be transmitted to the Secretary of State for War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

25. And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting themselves for Enrolment: It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held to attend at such Meeting; and every such

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Declaration to be made by Surgeon.

'I do solemnly declare, That I will, to the best of 'my Ability, faithfully and truly report as to the Fitness for 'Service of the Man or Men about to be submitted to my Exami-'nation, and that I will not receive from any of them any Fee or 'Reward whatever for any such Examination.'

Allowance to Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary of State for War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Pay, &c. to be issued under Direction of the Secretary of State for War.

26. All Sums of Money granted for the Pay, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary of State for War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Bills drawn for Pay, &c. may be on unstamped Paper.

27. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

28. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

All Things in this Act relating to Counties shall extend to Ridings, Shires, &c.

29. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Continuance of Act.

30. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and sixty-seven until the First Day of *September* One thousand eight hundred and sixty-eight.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts relating to the Militia when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council and Her Majesty's Principal Secretary of State for the War Department (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - -	2	2	0
In Counties furnishing from 201 to 400 Men - -	3	3	0
Ditto - - from 401 to 600 Men - -	4	4	0
Ditto - - from 601 to 800 Men - -	5	5	0
Ditto - - from 801 Men and upwards -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under -	1	1	0
Ditto - - - from 201 to 400 Men -	2	2	0
Ditto - - - from 401 to 600 Men -	3	3	0
Ditto - - - from 601 to 800 Men -	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0

Militia Pay.

	£	s.	d.
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - -	0	5	0
Ditto - 51 to 150 Names - - -	0	10	0
Ditto - 151 to 250 Names - - -	1	0	0
Ditto - 251 Names and upwards - - -	1	10	0
8 For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - - - -	0	15	0
Ditto - Two - Ditto - -	1	10	0
Ditto - Three - Ditto - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - -	3	0	0
Ditto - from 601 to 900 Men - - -	4	0	0
Ditto - from 901 Men and upwards - -	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under - - - - -	2	0	0
In a County furnishing from 201 to 400 Men - -	3	0	0
Ditto - - from 401 to 600 Men - -	4	0	0
Ditto - - from 601 to 800 Men - -	5	0	0
Ditto - - from 801 Men and upwards -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

Training and Exercise.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department, in Counties in England and			

	£	s.	d.
Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps - - -	2	0	0
Ditto - Two - Ditto - -	3	0	0
Ditto - Three - Ditto - -	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement - - - - -	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant -	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept - -	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - -	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - - 50 Men and under - - -	2	2	0
Ditto from 51 to 150 Men - - -	3	3	0
Ditto from 151 to 250 Men - - - -	4	4	0
Ditto from 251 Men and upwards - - -	5	5	0

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
For a Roll containing 50 Names and under - -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	1	10	0
Ditto from 51 to 150 Men - -	2	0	0
Ditto from 151 to 250 Men - - -	2	10	0
Ditto from 251 Men and upwards - -	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	2	0	0
Ditto from 51 to 150 Men - -	3	0	0
Ditto from 151 to 250 Men - - -	4	0	0
Ditto from 251 Men and upwards - -	5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 Men and upwards - -	1	0	0

Training and Exercise.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under -	0	0	6
Ditto from 11 to 30 Names - -	0	1	0
Ditto from 31 to 50 Names - -	0	2	6
Ditto from 51 to 70 Names - -	0	4	0
Ditto from 71 to 100 Names - -	0	7	0
Ditto from 100 upwards - - -	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under - -	0	2	0
Ditto from 21 to 50 Names - -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 and upwards - -	1	0	0
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 and upwards - -	1	0	0
ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.			
27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting -	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day - - - - - - -	0	5	0
31. For Stationery, per Annum - - -	0	5	0
ALLOWANCES TO CONSTABLES IN SCOTLAND.			
32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
34. For attending each Meeting of Lieutenancy, per Day -	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - - -	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - -	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the CLERKS of GENERAL SUBDIVISION MEETINGS of LIEUTENANCY respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Acts relating to the Militia, or by Her Majesty's Secretary of State, or (in Ireland) by the Lord Lieutenant, in execution of the Provisions of such Acts when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200 - -	15	0	0
Where the Quota is			
Above 200 and not exceeding 400 - - -	20	0	0
Above 400 and not exceeding 500 - - -	25	0	0
And where the Quota exceeds 500 the following Additions for every 100 or fractional Part of 100:			
Above 500 and not exceeding 1,000 - -	4	0	0
Above 1,000 and not exceeding 2,000 - -	3	0	0
Above 2,000 and not exceeding 3,000 - -	2	0	0
Above 3,000 and not exceeding 4,000 - -	1	10	0
Above 4,000 - - - - - -	1	0	0
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State, or (in Ireland) of the Lord Lieutenant - - - - - -	2	2	0
The actual Expense incurred in printing or advertising, and for Postage, may be charged.			

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CAP. XCIII.

An Act to legalize certain Marriages solemnized at *Morro Velho* in *Brazil*. [12th *August* 1867.]

WHEREAS the *Saint John Del Rey* Mining Company have erected a Chapel at their Establishment at *Morro Velho* in the Empire of *Brazil*, and have maintained there a Chaplain licensed by the Lord Bishop of *London*:

And whereas the said Chaplain has solemnized in the said Chapel according to the Rites and Ceremonies of the United Church of *England* and *Ireland* divers Marriages between Persons, One or both of whom was or were *British* Subjects:

And whereas Doubts are entertained as to the Validity of such Marriages, and it is expedient to remove such Doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirmation of Marriages prior to 1st January 1868.

1. All Marriages (both or One of the Parties to such Marriages being Subjects or Subject of this Realm) which prior to the First of *January* One thousand eight hundred and sixty-eight may have been solemnized in manner aforesaid at the said Chapel at *Morro Velho* shall be as valid in Law as if the same had been solemnized

 within

within Her Majesty's Dominions with a due Observance of all Forms required by Law.

Register to be sent to Consul at Rio Janeiro.

2. The Chaplain of the Chapel shall, immediately after the First of *January* One thousand eight hundred and sixty-eight, send to Her Majesty's Consul at *Rio Janeiro* the Register Book kept at the said Chapel, with a Certificate under his Hand and Seal that all Marriages which have been celebrated in the said Chapel as aforesaid have been duly entered therein, and also a Copy of the Register Book certified in like Manner to be a true Copy. Such Copy shall be sent by the Consul to the Registrar General in *England*, and the Original shall be kept by the Consul with the Marriage Register Books of his Consulate; and such Original and Copy Register Book shall be deemed to be Marriage Register Books of the *British* Consulate of *Rio Janeiro*, within the Meaning of the Acts in that Behalf made.

Short Title.

3. This Act may be cited for all Purposes as "The *Morro Velho* Marriage Act, 1867."

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CAP. XCIV.

An Act to provide for the Inspection of Weights and Measures, and to regulate the Law relating thereto in certain Parts of the Police District of *Dublin* Metropolis. [12th *August* 1867.]

WHEREAS an Act was passed in the Session of Parliament holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, intituled "The Weights and Measures (*Ireland*) Act, 1860:" 23 & 24 Vict. c. 119.

And whereas another Act was passed in the Session of Parliament holden in the Twenty-fifth and Twenty-sixth Years of the Reign of Her present Majesty, intituled *An Act to amend "The Weights and Measures* (Ireland) *Act*, 1860," *to abolish local and customary Denominations of Weights, and to regulate the Mode of weighing Articles sold in* Ireland: 25 & 26 Vict. c. 76.

And whereas the Provisions of the said Acts do not apply to the Police District of *Dublin* Metropolis:

And whereas it is expedient that the said Provisions should be made applicable to certain Parts of the said Police District of *Dublin* Metropolis:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

1. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and sixty-seven.

Meaning of Word "District."

2. In this Act the Word "District" shall mean such Parts of the Police District of *Dublin* Metropolis as are without the Municipal Boundaries of the Borough of *Dublin*.

Incorporation of recited Acts.

3. So much of the recited Acts as is not inconsistent with this Act shall be deemed to be incorporated with this Act, and shall be as if the same and this Act were One Act.

Ex-officio Inspector and Inspectors of Weights and Measures.

4. From and after the Commencement of this Act any One or more of the Superintendents, Inspectors, or Acting Inspectors of the *Dublin* Metropolitan Police who shall be selected under this Act by the Commissioners of the *Dublin* Metropolitan Police, with the Approval of the Lord Lieutenant, shall be an *ex-officio* Inspector or *ex-officio* Inspectors of Weights and Measures within the District, and shall possess and exercise all the Powers and Authorities, and be subject to the like Penalties for any Neglect or Offence in the Discharge of such Duties, which any Inspector of Weights and Measures heretofore possessed or exercised or had been liable to under and by virtue of the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, or any other Act now in force, and shall perform such Duties, under the Direction of the said Commissioners, without Fee or Reward, and notwithstanding any manorial Jurisdiction or Claim of Jurisdiction within the said District.

May provide Sub-Standard Weights and Measures.

5. It shall be lawful for the said Commissioners, with the Assent of the Chief or Under Secretary, from Time to Time to procure as many Copies, in Iron or other sufficient Material, of the Imperial Weights and Measures now in the Custody of the Lord Mayor of *Dublin* as they shall see fit, and to direct that the same shall be duly compared and stamped, and, with the like Assent, to provide such accurate Beams and Scales as shall be necessary for the said District; and the said Copies shall be called the *Dublin* Police Sub-Standard Weights and Measures, and shall be deposited with the said Superintendents, Inspectors, or Acting Inspectors, so as to enable them the more easily to discharge the Duties of Inspectors of Weights and Measures, and shall, at least once in every Year, and also at any other Time when required by the said Commissioners, be compared with and corrected by the said Imperial Standard Weights and Measures by the said Superintendents or Inspectors so

to be appointed as aforesaid, who shall adjust the same, and also affix the proper Stamp thereto; and such Copies so adjusted and stamped shall, until the next Comparison of the same, to be made in manner aforesaid, be considered to all Intents the same as the said Standard Weights and Measures for all Purposes of Comparison and Verification, and for all other Purposes for which such Standard Weights and Measures are required, under the Provisions of the said recited Act, by any Inspector of Weights and Measures; and the said Commissioners shall also provide such good and sufficient Stamps for stamping or sealing Weights and Measures used or to be used in the said District as they shall consider necessary for such Purpose.

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as shall have so contributed to the Benefit of the Scale of Superannuation by the said Act for them provided.

Power to the Lord Lieutenant to superannuate Officers and Constables.

2. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, under the Conditions herein-after mentioned, to direct that any Superintendent Inspectors, Acting Inspector, Serjeant, Acting Serjeant, or Constable of the *Dublin* Metropolitan Police, appointed to the said Force after the passing of this Act, may be superannuated and receive a Gratuity or yearly Pension not exceeding the Proportion of his Salary stated in the Scale herein-after mentioned; that is to say,

Scale of Superannuation.

1. A Gratuity of One Month's Pay for each Year's Service after Five Years and less than Fifteen Years:
2. On Completion of Fifteen Years Service, an annual Pension of Fifteen Fiftieths of the Pay may be granted, and an Increase of One Fiftieth for each successive Year up to Thirty Years Service completed:
3. After Thirty Years Service, or after the Person to be superannuated has attained the Age of Sixty Years, the Pension to be equal to Thirty Fiftieths of the Pay, or a larger Proportion in Cases of extraordinary Merit or good Conduct:
4. For Injuries received at any Time in the actual Performance of Duty, a Pension for Life may be granted of an Amount in proportion to the Injury received, but not exceeding the full Pay; the Grounds of Disability to be carefully investigated and fully set forth in the Authority granting the Pension:

Conditions of Superannuation.

Provided always, that no such Pension, Retiring Allowance, or Gratuity shall be granted in any Case to any Person, except on the Certificate of the Surgeon of the Force, or such other competent Medical Officer or Officers as the Lord Lieutenant shall name for the Purpose, that such Person is from mental or bodily Incapacity unable to perform his Duty any longer, and the Certificate of One of the Commissioners of the said *Dublin* Metropolitan Police that he has served with Diligence and Fidelity; provided also, that any Member of the Force who shall have attained the Age of Sixty Years or upwards may, upon his Petition, be superannuated without such Medical Certificate.

Saving the existing Rights of the Parties appointed before the passing of this Act.

3. And whereas it is expedient that the present Members of the *Dublin* Metropolitan Police Establishment should continue to be entitled to receive Retiring Allowances calculated upon the Scale of Superannnation and Rates of Pay to which they were entitled before the passing of this Act: Be it therefore enacted, That the Provisions of the recited Act shall apply to the Members of the said

said *Dublin* Metropolitan Police Establishment appointed before the passing of this Act as fully and effectually as if this Act had not been passed.

Pension liable to be forfeited for Misconduct.

4. Any Pension or Retiring Allowance shall be granted to Members of the Force appointed after the passing of this Act only upon the Condition that it becomes forfeited and may be withdrawn by the Lord Lieutenant in any of the following Cases:

1. On Conviction of the Grantee for any indictable Offence:
2. On his knowingly associating with suspected Persons, Thieves, or other Offenders:
3. On his refusing to give Information and Assistance to the Police whenever in his Power for the Detection and Apprehension of Criminals, and for the Suppression of any Disturbance of the Public Peace:
4. If he enter into or continue to carry on any Business, Occupation, or Employment which, in the Opinion of the Lord Lieutenant, shall be disgraceful or injurious to the Public, or in which he shall make use of the Fact of his former Employment in the Police Force in a Manner which the Lord Lieutenant considers to be discreditable and improper:

Provided always, that nothing herein contained shall entitle any Member of the *Dublin* Metropolitan Police absolutely to any Superannuation Allowance, nor prevent him from being dismissed or discharged for Misconduct or other sufficient Cause without Superannuation Allowance.

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Causes between 12*l.* and 50*l.* which may be tried under this Act.

2. From and after the passing of this Act, it shall be lawful for any Sheriff in *Scotland*, within his Sheriffdom, to hear, try, and determine in a summary Way, as more particularly herein-after mentioned, all Actions of Debt that may competently be brought before him for House Maills, Men's Ordinaries, Servants Fees, Merchants Accounts, and other the like Debts, wherein the Debt shall exceed the Value of Twelve Pounds Sterling, exclusive of Expenses and Dues of Extract, but shall not exceed the Value of Fifty Pounds Sterling, exclusive as aforesaid: Provided always, that the Pursuer shall in all Cases be held to have passed from and abandoned any remaining Portion of any such Debt beyond the Sum actually concluded for in any such Action.

Proceedings to begin by Summons or Complaint, as in Sect. 3. of 7 W. 4. & 1 Vict. c. 41.

3. All such Actions which the Pursuers thereof shall choose to have heard and determined according to the summary Mode hereby provided shall proceed upon Summons or Complaint, agreeably to the Form and subject to all the Provisions contained in the Third Section of the first-recited Act and relative Schedules, except as herein provided: Provided always, that the Summons or Complaint shall not contain and shall not constitute a Warrant to cite Witnesses or Havers.

Parties may appear by Procurators.

4. In all Actions under this Act it shall be competent for the Parties or any of them to appear and plead personally, or by any Person *bonâ fide* employed by them in their usual Business, or by a Procurator of Court; and, except in Applications for Sequestration and Sale of a Tenant's Effects for Recovery of Rent, it shall be competent for Agents qualified to practise before the Court of Session to act as Procurators or Agents before the Sheriff Court of *Edinburgh* in any Cause exceeding the Value of Twenty-five Pounds, exclusive of Expenses and Dues of Extract raised under the Authority of this Act, so long as such Cause is not remitted to the ordinary Roll of such Sheriff Court.

Certain Sections of 7 W. 4. & 1 Vict. c. 41. incorporated with this Act.

5. The Provisions contained in the Third, Fifth, Sixth, Eighth, Ninth, Tenth, Twelfth, Eighteenth, Nineteenth, Twenty-first, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-eighth, Thirty-fourth, Thirty-fifth, and Thirty-sixth Sections of the first-recited Act and relative Schedules shall be held as incorporated in the present Act, except in so far as they may be inconsistent with any of the Provisions hereof: Provided always, that the foresaid Sections of the first-recited Act shall for the Purposes of this Act be read and construed as if they expressly related to Actions of the Nature and Value set forth in the Second Section of this Act, instead of to Actions of the Nature and Value

set

set forth in the said Sections of the first-recited Act, or in the Twenty-sixth Section of the second-recited Act, and farther that the Fifth Section of the said first-recited Act shall be read and construed as if it related expressly to the Recovery of Rents or Balances of Rents exceeding Twelve Pounds and not exceeding Fifty Pounds Sterling, and that the Tenth Section of the said Act shall be read and construed as if it related expressly to the Distribution of Funds or Subjects exceeding the Value of Twelve Pounds and not exceeding the Value of Fifty Pounds Sterling, and that the counter Claims or Claims in Actions of Multiple-poinding which may be made under the Authority of this Act shall be of the Nature and Value set forth in the Second Section hereof, and that wherever in the foresaid Sections of the said first-recited Act the Words "Ordinary Small Debt Court," or "Circuit Small Debt Court," or such like Words, are used, they shall for the Purposes of this Act be held to mean and include Ordinary Courts or Circuit Courts at which Causes tried under the Authority of this Act are or may be set down for Trial: Provided also, that if any Person shall make a Claim in any Action of Multiple-poinding raised under the Authority of this Act, or a counter Claim in any other Action raised under this Act, which Claim or counter Claim, as the Case may be, is not of the Nature and Value set forth in the Second Section hereof, the Sheriff shall, if he thinks fit, remit the Action to his ordinary Roll: Provided farther, that, notwithstanding the Terms of the Sixth Section of the first-recited Act, Arrestments laid on under the Authority of this Act shall not prescribe till the Expiry of Three Years, according to the Provisions of the Twenty-second Section of an Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend the Law of* Scotland *in Matters relating to Personal Diligence, Arrestments, and Poindings.* 1 & 2 Vict. c. 114.

6. When the Defender who has been duly cited shall fail to appear he shall be held confessed, and the other Party shall obtain Decree against him; and in like Manner if the Pursuer shall fail to appear the Defender shall obtain Decree of Absolvitor, unless in either Case a sufficient Excuse for Delay shall be stated, on which Account it shall at all times be competent for the Sheriff to adjourn any Case to the next or any other Court Day, and to any Place at which he holds a Court for the Trial of Causes under this Act or any other Act, and to ordain the Parties then to attend: Provided always, that a Decree in Absence (Condemnator or Absolvitor) obtained under this Act shall be as nearly as may be in the same Form, and shall have the same Force and Effect, and be followed by the like Execution and Decrees in Absence, and their Effect.

and Diligence, as a Decree in Absence obtained under the first-recited Act.

Hearing in Cases of Decree in Absence.

7. The Provisions contained in the Sixteenth Section of the first-recited Act shall be held as incorporated in the present Act: Provided always, that it shall not be competent to insert in the Warrant for Hearing any Warrant to cite Witnesses and Havers: Provided also, that, notwithstanding the Terms of the said Sixteenth Section, it shall be competent for the Pursuer of any Action under the Authority of this Act, against whom Decree of Absolvitor has passed in Absence, to apply for and obtain a Warrant for Hearing at any Time within Three Calendar Months thereafter, in the same Manner and under the same Conditions as those provided in the said Sixteenth Section, and such Warrant for Hearing shall have the like Force and Effect as if obtained under the said Section.

If Case unsuitable for Summary Trial, Sheriff may remit to ordinary Roll;

8. Where both Parties shall appear at the Diet mentioned in the Summons and Complaint, or at any Adjournment thereof, or at the Diet for Hearing under the immediately preceding Section, the Sheriff shall inquire into the Nature of the Action and of the Defence thereto, and shall make a short Note of the Pleas of Parties (herein-after called the Note of Pleas), which shall form Part of the Process; and where it shall appear to the Sheriff that the Case is of such a Nature that it cannot, with due Regard to the Ends of Justice, be disposed of according to the Summary Procedure provided by this Act, he may remit the same to his ordinary Roll; and the Case, being so remitted, shall be proceeded with in the same Manner as Cases remitted under the first-recited Act from the Small Debt Roll to the ordinary Roll of the Sheriff Court are now proceeded with; and it shall not be competent to take any Objection that such Case so remitted was not of the Nature or Value set forth in the Second Section hereof; but if it shall not appear to be necessary for the Ends of Justice that the Case should be remitted to the ordinary Roll, the Sheriff shall fix a Time (which shall be as early as may be) and Place for proceeding to try and determine the same, and shall ordain the Parties then to attend, and shall grant Warrant to cite Witnesses and Havers (which Warrant shall be signed by the Sheriff Clerk and shall have the same Force and Effect as if it had been contained in the Summons and Complaint); and at said Time and Place, or at some adjourned Time and Place (which Adjournment the Sheriff shall only grant when the Ends of Justice require it), the Sheriff shall proceed to hear the Parties *viva voce*, and examine Witnesses or Havers upon Oath, and may also examine the Parties, and may put them or any of them upon Oath, and, if he should see Cause, may remit to Persons of Skill to report, or to

otherwise shall hear Case and give Judgment.

any

any Person competent to take and report in Writing, the Evidence of Witnesses or Havers, or the Oath of any Party who may be unable to attend, upon special Cause shown, and such Cause shall in all Cases be entered in the Book of Causes kept by the Sheriff Clerk herein-after mentioned, due Notice of the Examination being given to both Parties, and thereupon the Sheriff may pronounce Judgment, and the Judgment shall, unless appealed from as after mentioned, be as nearly as may be in the same Form, and shall have the same Force and Effect, and be followed by the like Execution and Diligence, as a Decree obtained under the Thirteenth Section of the first-recited Act.

If required, Sheriff shall take Note of Evidence, and pronounce Findings in Law and Fact.

9. Unless required by either Party, it shall not be necessary for the Sheriff to take any Note of the Evidence or of the Facts admitted by the Parties, but upon such Requisition, which shall only be competently made before any Parole Evidence has been led, and not afterwards, he shall take a Note of the Evidence and of the Facts admitted (herein-after called the Note of Evidence), setting forth the Witnesses examined and the Testimony given by each, and the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection, and a Note of any Objections taken to the Admission of Evidence, whether oral or written, allowed to be received, which Note of the Evidence shall be forthwith lodged in Process; and the Sheriff Clerk shall mark the Documents admitted in Evidence, and also separately any Documents tendered and rejected; and the Diet of Proof shall not be adjourned unless on special Cause shown, which shall be set forth in the Note of Evidence at the Time of making the Adjournment: Provided always, that the Sheriff shall either take such Note with his own Hand, or may dictate it to a Clerk, or, on the Motion of either of the Parties and in the meantime at the Expense of the Party or Parties so moving (said Expenses to be ultimately disposed of as Expenses in the Cause), to a Writer skilled in Shorthand Writing, to whom the Oath De fideli administratione officii shall be administered; and the said Shorthand Writer shall afterwards write out in full the Note of Evidence so taken by him, and the Sheriff shall certify the same as correct, and the Evidence of such Witness shall be read over to him and shall be signed by him except where it shall have been taken in Shorthand; and where the Evidence has been recorded as above provided for, the Sheriff shall pronounce and sign and date an Interlocutor, setting forth the separate Findings in Law and in Fact upon which he has proceeded in giving Judgment; and such Interlocutor shall form Part of the Process, and if not appealed from, as herein-after provided, shall be final and conclusive, and not

subject to Review by any Court whatever; and the Judgment of the Sheriff shall at the Expiry of the Time allowed for Appeal herein-after mentioned, and if not appealed from during the same, be extracted, as nearly as may be, in the Mode provided in the Thirteenth Section and relative Schedule of the first-recited Act, and shall have the same Force and Effect, and be followed by the like Execution and Diligence, as a Decree obtained under the last-mentioned Section of the said first-recited Act.

Appeal competent only when Note of Evidence taken.

10. Where neither Party has, in the Manner above provided, required the Sheriff to take a Note of the Evidence, it shall not be competent to appeal against the Judgment which he shall pronounce, in so far as the Findings in Fact pronounced by him are concerned, and the said Findings shall be final and conclusive, and not subject to Review by any Court whatever: Provided also, that it shall not in any Case be competent to appeal until Judgment has been pronounced by the Sheriff finally disposing of the Cause, but an Appeal when taken shall have the Effect of submitting to Review all the previous Proceedings and Interlocutors.

Appeal where Case heard by Sheriff Substitute.

11. Subject to the Provisions contained in the immediately preceding Section, where the Case has been heard and the Judgment has been given by the Sheriff Substitute, it shall be competent for either Party to appeal against such Judgment to the Sheriff; and the Party who proposes to appeal against the same shall, within Eight Days, or in Cases depending before the Sheriff of *Orkney* and *Shetland* within Sixteen Days, from the Date of the Interlocutor before mentioned, engross and sign, by himself or by his Procurator, under the said Interlocutor, the Words, "I appeal against the Judgment of the Sheriff Substitute" (failing which the Judgment of the Sheriff Substitute shall be, as herein-before provided, final and conclusive, and not subject to Review by any Court whatever); and it shall be competent for the Appellant to subjoin to his Appeal at the Time of engrossing it a Note of the legal Authorities upon which he founds; and the Sheriff Clerk shall forthwith transmit to the Sheriff the Summons or Complaint, the Interlocutor of the Sheriff Substitute, the Note of Pleas, and the Note of Evidence, with the Productions made, if any, and the Sheriff shall without Delay consider the Appeal, and shall affirm or alter the Judgment of the Sheriff Substitute, and shall without Delay pronounce such Judgment as may be right, and shall set forth in an Interlocutor (which he shall transmit along with the Process to the Sheriff Clerk) the Terms of his Judgment; and if he shall have altered that of the Sheriff Substitute, he shall set forth the Findings in Fact and Law upon which he proceeded in giving Judgment:

Provided

Provided always, that, if it shall seem proper, the Sheriff may order the Case to be reheard, and the Evidence in the Cause taken of new or additional Evidence therein to be taken, either before himself or before the Sheriff Substitute, or before a Commissioner if otherwise competent, with such Instructions as he shall deem right; and the Judgment of the Sheriff shall at the Expiry of the Period allowed for Appeal herein-after mentioned, and if not appealed from during the same, be extracted as nearly as may be in the same Mode, and shall have the same Force and Effect, and be followed by the like Execution and Diligence, as a Decree obtained under the Thirteenth Section of the first-recited Act and relative Schedule.

Appeal where Case heard by Sheriff Depute in first instance.

12. Subject to the Provisions contained in the Tenth Section hereof, and where the Cause exceeds the Value of Twenty-five Pounds Sterling, where the Case has been heard and the Judgment pronounced by the Sheriff (and not by the Sheriff Substitute) in the first instance, it shall be competent for either Party to appeal against such Judgment to either of the Divisions of the Court of Session, and the Party who proposes to appeal against such Judgment shall, within Eight Days, or in Cases depending before the Sheriff of *Orkney* and *Shetland* within Sixteen Days, from the Date of the Sheriff's Interlocutor before mentioned, engross and sign, by himself or by his Procurator, under the said Interlocutor, the Words, "I appeal against the Judgment of the Sheriff to the Division of the Court of Session" (failing which the Judgment of the Sheriff shall, as herein-before provided, be final and conclusive, and not subject to Review by any Court whatever); and the Sheriff Clerk shall forthwith transmit to One of the Principal Clerks of the Division to which the Appeal is taken (or to One of the Principal Clerks of the First Division if the Division is not named in the Appeal) the whole Process; and the Division shall, when the Cause is brought before them as herein-after provided, hear the Appeal without any written Pleadings, and shall affirm or alter the Judgment of the Sheriff, and shall remit to him, or to the Sheriff Substitute, to decern accordingly, or to pronounce such other Judgment as shall seem just; and such Decree shall be extracted, as nearly as may be, in the same Mode, and shall have the same Force and Effect, and be followed by the like Execution and Diligence, as a Decree obtained under the Thirteenth Section of the first-recited Act: Provided always, that, if it shall seem proper, the Division may order the Case to be reheard, and the Evidence taken of new or additional Evidence to be taken by the Sheriff or Sheriff Substitute, with such Directions as shall seem right; and the Decree pronounced by the Sheriff or Sheriff Substitute upon such Rehearing shall

shall be treated in all respects as if it had been pronounced by the Sheriff or Sheriff Substitute in the first instance: Provided also, that any Judgment or Order pronounced by the Division shall be final and conclusive, and not subject to Review by any Court.

Appeal where Case heard by Sheriff on Appeal from the Sheriff Substitute.

13. Where the Case has been heard by the Sheriff on Appeal, and Judgment pronounced by him as above provided for, it shall be the Duty of the Sheriff Clerk, immediately on receiving the Sheriff's Interlocutor, to transmit a Copy thereof through the Post Office to the Parties or their Procurators; and within Eight Days, or within the Sheriffdom of *Orkney* and *Shetland* within Sixteen Days, after the Date of such Transmission it shall be competent for either of the Parties to appeal against his (the Sheriff's) Judgment in the same Manner, and to the same Effect, and under the same Limitations as provided for in the immediately preceding Section with regard to Appeals from Judgments of the Sheriff in the first instance.

As to printing of Papers on Appeal to Court of Session.

14. When a Process shall be transmitted by the Sheriff Clerk to One of the Principal Clerks of either Division in the Court of Session as herein-before provided, the Clerk to whom the Process is so transmitted shall engross under the Appeal a Certificate setting forth the Date when he received the Process; and the Party insisting in the Appeal shall within Ten Days of such Date, if the Court be then sitting, or on or before the Third Sederunt Day in the next ensuing Session if the Process shall be received as aforesaid during Vacation or Recess, apply by written Note to the Lord President of the Division to which the Appeal has been taken, the presenting of which Note he shall at the same Time intimate by Letter to the Respondent or his known Agent, craving his Lordship to move the Court to order the said Appeal to the Summar Roll; and it shall be competent for such Division, before hearing such Appeal, to order the Appellant to print and box such Papers as shall be necessary, and to furnish such printed Copies thereof to the Respondent as they shall direct; and the Expense of such Printing shall, in the first instance, be borne by the Appellant, but shall afterwards be treated as Part of the general Expenses of the Appeal: Provided always, that if the Appellant shall fail to bring his Appeal before the Division, by Note as aforesaid, he shall be held to have fallen from the same, and the Process shall forthwith be re-transmitted to the Sheriff Clerk, and the Judgment complained of shall thereupon become final, and shall be treated in all respects in like Manner as if no Appeal had been taken against the same.

15. The

Book of Causes, &c. to be kept.

15. The Sheriff Clerk shall keep a Book wherein shall be entered all Causes conducted under the Authority of this Act, setting forth the Names and Designations of the Parties, and whether present or absent at the calling of the Cause, the Nature and Amount of the Claim, and Date of giving it in, the Mode of Citation, the several Deliverances or Interlocutors of the Sheriff (except those Interlocutors setting forth at Length the separate Findings in Law and in Fact upon which any Judgment of the Sheriff shall have proceeded, of which Interlocutors the Dates only shall be entered in the Book of Causes), the Dates of Appeal, if any, and the Final Decree, with the Date thereof, which Book shall be signed each Court Day by the Sheriff; and the said Entries by the Clerk shall be according to the Schedule (A.) annexed to this Act, or with such Additions as the Sheriff shall appoint; and the Sheriff Clerk shall also keep a Book in which he shall enter, in the Form of Schedule (B.) annexed to this Act, every Cause transmitted to the Sheriff or Sheriff Substitute in order to be advised, specifying the Sheriff to whom the same has been transmitted, the Date of such Transmission, the Date of the Cause being returned advised by the Sheriff or Sheriff Substitute, the Date of intimating the Sheriff's Judgment to the Parties, the Date of transmitting the Cause or Appeal to the Court of Session, the Date of the Cause being returned advised by the Court of Session or being returned in consequence of the Appeal having fallen for want of being insisted in, and any Remarks which the Sheriff may have ordered to be entered in such Book relative to any such Cause; and the Sheriff Clerk shall further keep a Book or Books containing a Register or Registers of all Indorsations of Decrees and Warrants issued in other Counties, and of all Sequestrations and of all Reports of all Poindings and Sales of Goods and Effects under Sequestrations or Poindings, which Registers shall be open and patent at Office Hours to all concerned, without Fee; and the Sheriff Clerk shall make up a Roll of the Causes to be tried on each Court Day under this Act, separate from the Roll of Causes to be tried under the said recited Acts, and shall cause a Copy thereof to be exhibited to the Public on a Patent Part of the Court House at least One Hour before the Time of Meeting of such Court, and which shall continue there during the Time the Court shall be sitting; and the Sheriff Clerk, or an Officer of Court, shall audibly call the Causes in such Roll in their Order.

Appraisement and Sale of poinded and sequestrated Effects.

16. The Twentieth Section of the first-recited Act and relative Schedule shall be held as incorporated in the present Act: Provided always, that the Words "Poinding and Sale" in said Section

Section and relative Schedule shall, for the Purposes of this Act, be read and construed to include Poindings on which no Sale has followed, as well as Poindings which have been followed by Sale of the pointed Goods and Effects.

Decrees, &c. not subject to Review, except as hereby provided.

17. No Interlocutor, Judgment, Order, or Decree pronounced under the Authority of this Act shall be subject to Reduction, Advocation, Suspension, or Appeal, or any other Form of Review or Stay of Diligence, except as herein provided, on any Ground whatever.

Fees to be taken.

18. The following and no other or higher Fees or Dues of Consignation shall be allowed to be taken for any Matters done in any Cause raised under the Authority of this Act (except the Fees of Shorthand Writers or of Witnesses, or of Reporters or Commissioners appointed by the Sheriff under the Eighth Section hereof, which the Sheriff is hereby empowered to fix and decern for as he shall think just, and except also the Expenses incurred in any Appeal to the Court of Session, which shall be taxed and decerned for in common Form):

Sheriff Clerk's Fees.

Summons, including Precept of Arrestment, Two Shillings:

Each Copy for Service, Sixpence:

Entering in Procedure Book, Sixpence:

Warrant to cite Witnesses and Havers, One Shilling:

Certificate loosing Arrestment, One Shilling:

Bond of Caution, One Shilling and Sixpence:

Second Diligence against Witnesses and Havers, One Shilling:

Decree, including Extract, if demanded, One Shilling:

Hearing after Decree in Absence, One Shilling and Sixpence:

Indorsation of Decree or Warrant, and entering in Book, One Shilling:

Receiving Report of Sequestration or Poinding, and entering in Book, One Shilling:

Receiving Report of Sale under Sequestration or Poinding, and entering in Book, One Shilling and Sixpence:

Transmitting Process on Appeal to Sheriff, Sixpence:

Intimating Judgment of Sheriff to each Pursuer or Defender, Sixpence:

Transmitting Process on Appeal to the Court of Session, Sixpence.

Officers

Officers Fees, including Assistants or Witnesses.

Citation of a Party, or Intimation of counter Claim and Execution, One Shilling and Sixpence:

Citation of a Witness or Haver, and Execution, Ninepence:

Charging on Decree, and returning Execution of Charge, One Shilling and Sixpence:

Arrestment, and returning Execution thereof, One Shilling and Sixpence:

Intimation of loosing Arrestment, and Execution thereof, One Shilling and Sixpence:

Poinding, Inventory, and Report, including Fee to Appraisers serving Copy and Execution, Ten Shillings:

Sale and Report, Ten Shillings:

Officer's Travelling Expenses, for each complete Mile from the Cross or Tron, or other usual Place of Measurement in the Town or Place where the Court is held, where there is any such, or, if there be none such, then from the Court House of such Town or Place to the Place of Execution or Service, the Distance travelled in returning after Execution of the Duty not to be reckoned, Eightpence:

Assistants, each, *per* Mile, in the same Manner, Fourpence.

Crier's Fee.

For calling each Cause, One Penny, payable when Summons issued.

Procurators Fees, applicable either to Pursuer's or Defender's Procurator.

I.—Conduct of Cause.

1. On Decree in Absence (Absolvitor or Condemnator), and procuring Extract thereof:
   - (1.) Where the Sum concluded for (exclusive of Expenses and Dues of Extract) does not exceed Twenty-five Pounds,—Seven Shillings and Sixpence:
   - (2.) Where the Sum concluded for (exclusive of Expenses and Dues of Extract) exceeds Twenty-five Pounds,—Ten Shillings:
2. On Decree or Judgment in a contested Cause (whether the same shall have been appealed to the Sheriff or not), and procuring Extract thereof:
   - (1.) Where the Sum concluded for (exclusive of Expenses and Dues of Extract) exceeds Twelve Pounds and does not exceed Twenty Pounds,—Thirty Shillings:
   - (2.) Where the Sum concluded for (exclusive as aforesaid) exceeds Twenty Pounds and does not exceed Thirty Pounds,—Forty Shillings:

(3.) Where

(3.) Where the Sum concluded for (exclusive as aforesaid) exceeds Thirty Pounds and does not exceed Forty Pounds,—Sixty Shillings:

(4.) Where the Sum concluded for (exclusive as aforesaid) exceeds Forty Pounds and does not exceed Fifty Pounds,—Eighty Shillings:

3. For Decree in Absence or in Foro in an Action of Forthcoming, Sequestration, or Multiplepoinding, same as in an ordinary Action.

The above Fees shall be exclusive of Postages and actual Outlays, but shall include the whole Sums exigible, whether as between Party and Party or between Client and Agent, for taking Instructions to prosecute or defend the Action, instructing Officers to cite Parties or Witnesses, or to arrest on the Dependence, revising Summons and Citations and Executions, precognoscing Witnesses, attending Proofs and Debates, writing and signing Appeals, Correspondence, and generally doing everything requisite for commencing and carrying on the Action or the Defence, until final Judgment or Decree in the Sheriff Court.

II.—Execution of Diligence.

1. Where Poinding or Imprisonment has followed on the Decree, or where a Sale has followed on a Decree of Sequestration, including instructing Officer to arrest, charge, poind, sell, or imprison, revising his Executions and Reports, Correspondence, receiving Payment of Sums in Decree, and handing same over to Creditor:

(1.) Where the Amount decerned for (exclusive of Expenses and Dues of Extract) does not exceed Twenty-five Pounds, Three *per Centum* on the Amount decerned for; but no Fee to be less than Nine Shillings:

(2.) Where the Amount decerned for (exclusive of Expenses and Dues of Extract) exceeds Twenty-five Pounds, Two *per Centum* on the Amount decerned for; but no Fee to be less than Fifteen Shillings:

2. Where neither Poinding nor Sale nor Imprisonment has followed, One Half of the above, both with respect to the maximum and minimum Fees: Provided always, that where any Cause shall have been conducted, under the Fourth Section hereof, partly by a Solicitor at Law and partly by a Writer to the Signet or Solicitor before the Supreme Courts, the Sheriff shall determine what Portion of said Fees shall be payable to each of the Agents or Procurators who shall

shall have been so engaged in the Cause, and the Sheriff's Determination shall be final.

Table of Fees to be printed and hung up.

19. An exact Copy of the immediately preceding Section of this Act shall be at all Times hung up in every Sheriff Clerk's Office and in every Sheriff Court Place during the holding of any Court for the Trial of Causes under the Authority of this Act; and any Sheriff Clerk at any Time omitting to have such Copy hung up in his Office or in the Sheriff Court Place as aforesaid, or not causing the Roll of Causes each Court Day to be publicly exhibited, or not causing the Number and Names of the Parties in such Roll to be called in their Order as aforesaid, except with Leave of the Sheriff, upon Cause shown in open Court, shall be liable in a Penalty not exceeding Forty Shillings, to be recovered at the Instance of any Person who shall prosecute for the same, and to be disposed of as the Sheriff shall direct: Provided always, that the Sheriff Clerk shall be bound to account for the Fees drawn by him under the Authority of this Act in the same Manner as he is now by Law bound to account for the Fees drawn by him under the Authority of the first-recited Act, but no farther or otherwise.

Court of Session to revise Table of Fees.

20. The Court of Session in *Scotland* shall be and is hereby authorized and empowered, after due Inquiry, by Act or by Acts of Sederunt, from Time to Time to make such Alterations by way of Increase or Decrease as to said Court shall seem needful on the Fees and Dues hereby authorized to be taken, or to frame a new Table or Tables of Fees and Dues that shall be allowed to be taken for Matters done in contested Causes raised under the Authority of this Act, in place of the Fees and Dues herein-before specified; and when any such Alterations or any such new Table shall be made, all the Provisions herein contained relative to the Fees specified in Section Eighteen hereof shall be applicable to such altered Fees or Dues, or such new Table of Fees and Dues; and the said Court shall have like Powers to regulate the Fees payable in Appeals under this Act in the Court of Session.

Interpretation of Terms.

21. In all Cases in this Act, or in the Schedules hereto annexed, the Word "Sheriff" shall be held to include Sheriff Depute and Steward Depute and Sheriff Substitute and Steward Substitute; the Words "Sheriff Substitute" to include Steward Substitute; the Words "Sheriff Court" to include and apply to the Court of the Sheriff or Steward or their Substitutes; the Words "Sheriff Clerk" to include Steward Clerk and Depute Sheriff Clerk and Depute Steward Clerk; the Word "Shire" or "County" to include

Stewartry; the Word "Sheriffdom" to include and be included in the Words "Shire, County, or Stewartry;" the Word "Person" to extend to a Partnership, Body Politic, Corporate, or Collegiate, as well as an Individual; the Word "Procurator" to include a Writer to the Signet or Solicitor before the Supreme Courts entitled to act as Agent under the Provisions of the Fourth Section of this Act: Provided always, that those Words and Expressions occurring in this Clause to which more than One Meaning is attached shall not have the different Meanings given to them by this Clause in those Cases in which there is anything in the Subject or Context repugnant to such Construction.

Act not to affect recited Acts.

22. Nothing contained in this Act shall in any way affect the Provisions of the recited Acts or either of them in regard to any Proceedings which before the passing of this Act might competently take place under them.

As to Payment of Stamp Duty upon Indentures of Apprenticeship to Procurators.

23. Whereas by Section Thirty-four of an Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, it is provided that no Deed or Instrument liable to Stamp Duty shall be registered unless the same is duly stamped: And whereas by Section Nine of an Act passed in the Twenty-eighth and Twenty-ninth Years of Her Majesty's Reign, Chapter Eighty-five, it is provided that every Indenture entered into after the passing of the said Act with the Intention of qualifying an Apprentice for Admission as a Procurator as therein mentioned shall be recorded in the Register of Probative Writs of the County where the same shall have been entered into within Six Months from the Date fixed for the Commencement of the Term of Apprenticeship: And whereas such an Indenture as is referred to in the last-mentioned Act is liable to a Stamp Duty of Thirty Pounds, and it is considered that the Payment of so large a Sum at the Time of the Commencement of the Apprenticeship operates harshly and prejudicially: Be it enacted, That the Sum of Two Shillings and Sixpence, in part of the said Stamp Duty of Thirty Pounds, shall be paid upon the Execution of any such Indenture of Apprenticeship, and that the same Indenture, if bearing a Stamp Duty of Two Shillings and Sixpence, shall be deemed to be duly stamped for the Purpose of the recording thereof in the proper Register of Probative Writs, and also for the Purpose of enforcing all the Obligations therein contained, and that the Sum of Twenty-nine Pounds Seventeen Shillings and Sixpence, being the Residue of the said Stamp Duty of Thirty Pounds, shall be paid upon the Admission of the Apprentice as a Procurator in addition to the Stamp Duty payable in respect of such Admission.

SCHE-

SCHEDULE (A.)

No.	Date of Complaint.	Pursuers.	Defenders.	Nature and Amount.	How cited.	By what Officer.	Interlocutors.	Date of Appeal.	Final Decree.

SCHEDULE (B.)

TRANSMISSION BOOK TO BE KEPT BY SHERIFF CLERKS.

Names of Cause. [As A. *versus* B.]	Date of Transmission to Sheriff Substitute.	If Proof led, state whether before Sheriff, or Substitute, or Commissioner, and its Duration.	Date of Case being returned advised.	Date of Transmission to Sheriff.	Date of Case being returned advised.	Date of Intimation of Sheriff's Judgment.	Date of Transmission to Court of Session.	Date of Case being returned from Court of Session advised or Appeal fallen from.	Remarks.*

* *Note.*—Where Cases have been longer than Six Days unadvised after Transmission to the Sheriff, the Reason to be stated in this Column.
Also the Names of any Commissioners to whom Remits have been made to take Proofs.
Also whether Proof taken by Sheriff's or Commissioner's own Hand, or by being dictated to a Clerk or a Shorthand Writer.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XCVII.

An Act to facilitate the Administration of Trusts in *Scotland*. [12th *August* 1867.]

WHEREAS by the Acts Twenty-fourth and Twenty-fifth *Victoria*, Chapter Eighty-four, and Twenty-sixth and Twenty-seventh *Victoria*, Chapter One hundred and fifteen, certain Powers are conferred on gratuitous Trustees in *Scotland*, and it is expedient that greater Facilities should be given for the Administration of Trust Estates in *Scotland*:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of Trusts and Trust Deeds.

1. In the Construction of this Act and of the said recited Acts the Words "Trusts and Trust Deeds" shall be held to mean and include all Trusts constituted by virtue of any Deed or by private or local Act of Parliament; and the Words "gratuitous Trustees" in the Sense of this Act and of the said recited Acts shall mean and include all Trustees who are not entitled as such to Remuneration for their Services in addition to any Benefit they may be entitled to under the Trust, or who hold the Office *ex officio*, and shall extend to and include all Trustees, whether original or assumed, who are entitled to receive any Legacy or Annuity or

Bequest under the Trust: Provided always, that no Trustee to whom any Legacy or Bequest or Annuity is expressly given on condition of the Recipient thereof accepting the Office of Trustee under the Trust shall be entitled to resign the Office of Trustee by virtue of this or of the said recited Acts, unless otherwise expressly declared in the Trust Deed.

General Powers of Trustees.

2. In all such Trusts the Trustees shall have Power to do the following Acts, where such Acts are not at variance with the Terms or Purposes of the Trust, and such Acts when done shall be as effectual as if such Powers had been contained in the Trust Deed, viz.:

1. To appoint Factors and Law Agents, and to pay them a suitable Remuneration:
2. To discharge Trustees who have resigned, and the Representatives of Trustees who have died:
3. To grant Leases of the Heritable Estate of a Duration not exceeding Twenty-one Years for Agricultural Lands, and Thirty-one Years for Minerals, and to remove Tenants:
4. To uplift, discharge, or assign Debts due to the Trust Estate:
5. To compromise or to submit, and refer all Claims connected with the Trust Estate:
6. To grant all Deeds necessary for carrying into effect the Powers vested in the Trustees:
7. To pay Debts due by the Truster or by the Trust Estate without requiring the Creditors to constitute such Debts where the Trustees are satisfied that the Debts are proper Debts of the Trust.

Powers which may be granted to Trustees by the Court.

3. It shall be competent to the Court of Session, on the Petition of the Trustees under any Trust Deed, to grant Authority to the Trustees to do any of the following Acts, on being satisfied that the same is expedient for the Execution of the Trust and not inconsistent with the Intention thereof; and the Court shall determine all Questions of Expenses in relation to such Applications, and where it shall be of opinion that the Expense of any such Application should not be charged against the Trust Estate, it shall so find in disposing of the Application:

1. To sell the Trust Estate or any Part of it:
2. To grant Feus or Long Leases of the Heritable Estate or any Part of it:
3. To borrow Money on the Security of the Trust Estate or any Part of it:
4. To excamb any Part of the Trust Estate which is heritable:

Provided always, that when all the Beneficiaries under the Trust in existence at the Date of presenting such Petition are of full Age

Age and capable of acting, it shall be in their Power, by Deed of Consent, to grant Authority to the Trustees to do any of the said Acts, the same not being inconsistent with the Intention of the Trust; and such Authority being obtained, the said Acts, when done, shall be equally valid and effectual as if the Authority of the Court for the Execution of the same had previously been obtained.

Extension of Powers of Trustees for Sale.

4. All Powers of Sale conferred on Trustees by the Trust Deed, or by virtue of this Act, may be exercised either by public Roup or private Bargain, unless otherwise directed in the Trust Deed or in the Authority given by the Court, or in the Deed of Consent to be granted by the Beneficiaries; and when the Estate is heritable, it shall be lawful in such Sales to sell, subject to or under Reservation of a Feu Duty or Ground Annual, at such Rate and on such Conditions as may be agreed upon; and in all Sales and Feus it shall be lawful to reserve the Mines and Minerals if so wished.

Powers of Trustees under Trust Deeds with respect to Investments.

5. Trustees under any Trust Deed may, unless the contrary be expressly provided in such Trust Deed, invest the Trust Funds in the Purchase of any of the Government Stocks, Public Funds, or Securities of the United Kingdom, or Stock of the Bank of *England*, or may lend the Trust Funds on the Security of any of the aforesaid Stocks or Funds or on the Security of Heritable Property in *Scotland*, and may from Time to Time at their Discretion vary any such Investment or Loan: Provided, that the Trustees shall not be held to be subject as Defendants or Respondents to the Jurisdiction of any of Her Majesty's Superior Courts of Law or Equity in *England* or *Ireland*, either as Trustees or personally, by reason of their having invested or lent Trust Funds as aforesaid.

Powers of Investment in Trust Deeds not to be restricted.

6. The Powers of Investment conferred by this Act shall not be held or construed as restricting or controlling any Powers of Investment of Trust Funds expressly contained in any Trust Deed.

The Court may authorize the Advance of Part of the Capital of a Trust Fund.

7. The Court may from Time to Time, under such Conditions as they see fit, authorize Trustees to advance any Part of the Capital of a Fund destined, either absolutely or contingently, to Minor Descendants of the Truster, being Beneficiaries having a vested Interest in such Fund, if it shall appear that the Income of the Fund is insufficient or not applicable to, and that such Advance is necessary for, the Maintenance or Education of such Beneficiaries, or any of them, and that it is not expressly prohibited by the Trust Deed, and that the Rights of Parties other than

than the Heirs or Representatives of such Minor Beneficiaries shall not be thereby prejudiced.

Application of Trust Funds.

8. The Court may, on Petition by the Trustees, and after such Intimation and Inquiry as may be thought necessary, authorize the Trustees under any Trust Deed to apply the whole or any Part of Trust Funds which they are empowered or directed by the Trust Deed to invest in the Purchase of Heritable Property to the Payment or Redemption of any Debt or Burden affecting Heritable Property which may be destined to the same Series of Heirs, and subject to the same Conditions as are by the Trust Deed made applicable to the Heritable Property directed to be purchased; provided always, that such Application shall not be inconsistent with the other Provisions of the Trust Deeds.

Discharge of Trustees resigning and Heirs of Trustees dying during the Subsistence of the Trust.

9. When a Trustee who resigns, or the Representatives of a Trustee who has died or resigned, cannot obtain a Discharge of his Acts and Intromissions from the remaining Trustees, and when the Beneficiaries of the Trust refuse, or are unable, from Absence, Incapacity, or otherwise, to grant a Discharge, the Court may, on Petition to that Effect, at the Instance of such Trustee or Representative, and after such Intimation and Inquiry as may be thought necessary, grant such Discharge, and it shall be in the Power of the Court to direct that the Expense of such Application be paid out of the Trust Estate, if the Court shall consider this reasonable.

Form of Resignation of Trustees.

10. Any Trustee entitled to resign his Office may do so by Minute of the Trust entered in the Sederunt Book of the Trust, and signed in such Sederunt Book by such Trustee and by the other Trustee or Trustees acting at the Time, or he may do so by signing a Minute of Resignation in the Form of the Schedule (A.) to this Act annexed, or to the like Effect, and may register the same in the Books of Council and Session, and in such Case he shall be bound to intimate the same to his Co-Trustee or Trustees, and the Resignation shall be held to take effect from and after the Expiry of One Calendar Month after the Date of such Intimation, or the last Date thereof if more than One, if the Trustee or Trustees to whom such Intimation was given is within *Scotland*, or otherwise within Three Months from and after that Date; and in case after Inquiry the Residence of any Trustee to whom Intimation should be given under this Provision cannot be found, such Intimation shall be given edictally in usual Form, and the Resignation in that Case shall be held to take effect from and after the Expiry of Six Months: and if any Trustee entitled to resign his Office is at the Time sole Trustee,

Trustee, he shall not be entitled to resign until, with the Consent of the Beneficiaries under the Trust of full Age and capable of acting at the Time, he shall have assumed new Trustees, who shall have declared their Acceptance of Office, or he may apply to the Court stating his Wish to resign, and praying for the Appointment of new Trustees or of a Judicial Factor to administer the Trust, and the Court after Intimation to the Beneficiaries under the Trust, or such of them as the Court may direct, shall thereafter either appoint a Judicial Factor, or on the Application of the Beneficiaries or any of them, may appoint Trustees in the same Manner as is provided under the Twelfth Section of this Act; and after such Appointment either of Judicial Factor or of Trustees the petitioning Trustee will be entitled to resign; and any retiring Trustee or Trustees who may have already retired shall be bound, when required, and at the Expense of the Trust, to execute all Deeds necessary for divesting them of Trust Property, conveying the same to the Trustees or Trustee or Judicial Factor acting in the Execution of the Trust.

Appointment of new or additional Trustees by Deed of Assumption.

11. When Trustees have the Power of assuming new Trustees, such new Trustees may be assumed by a Deed of Assumption executed by the Trustee or Trustees acting under such Trust Deed, or by a Quorum of such Trustees, if more than Two, in the Form of the Schedule (B.) to this Act annexed, or to the like Effect; and a Deed of Assumption so executed, in addition to a general Conveyance of the Trust Estate, may contain a special Conveyance of Heritable Property, and in such Case may, with the necessary Warrant of Registration thereon, be recorded in the Register of Sasines, and when so recorded shall be effectual as a Conveyance of the Heritable Property belonging to the Trust Estate, so far as specially conveyed, in favour of the existing Trustees and the Trustees so to be assumed; and such Deed of Assumption shall also be effectual as an Assignation in favour of such existing and assumed Trustees of the whole Personal Property belonging to the Trust Estate; and in the event of any Trustee acting under any Trust Deed being insane, or incapable of acting by reason of physical or mental Disability, or by continuous Absence from the United Kingdom for a Period of Six Calendar Months or upwards, such Deed of Assumption may be executed by the remaining Trustee or Trustees acting under such Trust Deed: provided that when the Signatures of a Quorum of Trustees cannot be obtained it shall be necessary to obtain the Consent of the Court to such Deed of Assumption on Application either by the Acting Trustee or Trustees, or by any One or more of the Beneficiaries under the Trust Deed.

12. When

Appointment of new Trustees by the Court.

12. When Trustees cannot be assumed under any Trust Deed, or when any Person who is the sole Trustee acting under any such Trust Deed has become insane, or incapable of acting by reason of physical or mental Disability, the Court may, upon the Application of any Party having Interest in the Trust Estate, after such Intimation and Inquiry as may be thought necessary, appoint a Trustee or Trustees under such Trust Deed, with all the Powers incident to that Office; and on such Appointment being made, in the Case of any Person becoming insane or incapable of acting as aforesaid, such Person shall cease to be a Trustee under such Trust Deed; and the Court may on such Application grant a Warrant to complete a Title to any Heritable Property forming Part of the Trust Estate in favour of the Trustee or Trustees so appointed, which Warrant shall specify and describe the Heritable Property to which it is applicable, and shall also specify the Moveable or Personal Property, or bear Reference to an Inventory appended to the Petition to the Court in which such Moveable or Personal Property is specified; and such Warrant shall be effectual as a Conveyance of such Heritable Property in favour of the Trustee or Trustees so appointed, in like Manner and to the same Effect as a Warrant in favour of a Judicial Factor granted under the Authority of the Thirty-eighth Section of "The Titles to Land (*Scotland*) Act, 1860," and shall also be effectual as an Assignation of such Moveable or Personal Property in favour of the Trustee or Trustees so appointed.

Powers of Trustees appointed by the Court.

13. Trustees appointed by the Court shall not have the Power of assuming new Trustees, unless such Power is expressly conferred upon them by the Court.

Completion of Title by the Beneficiary of a lapsed Trust.

14. When any Person shall be entitled to the Possession for his own absolute Use of any Heritable Property or Moveable or Personal Property the Title to which has been taken in the Name of any Trustee, or Curator bonis, or Factor *loco absentis*, or Factor *loco tutoris*, or Judicial Factor, or other Person who has died or become incapable of acting without having executed a Conveyance of such Property, it shall be lawful for the Person beneficially entitled to such Property to apply by Petition to the Court for Authority to complete a Title to such Property in his own Name, and such Petition shall specify and describe the Heritable Property, and refer to an Inventory in which the Moveable or Personal Property is specified, to which such Title is to be completed, and after such Intimation and Inquiry as may be thought necessary it shall be lawful for the Court to grant a Warrant for completing such Title as aforesaid, which Warrant shall specify and describe the Heritable Property to which it is applicable,

applicable, and shall also specify the Moveable or Personal Property, or shall bear reference to an Inventory appended to the Petition in which such Personal Property is specified; and such Warrant shall be effectual as a Conveyance of such Heritable Property in favour of the Petitioner in like Manner and to the same Effect as a Warrant in favour of a Judicial Factor granted under the Authority of the Thirty-eighth Section of "The Titles to Land (*Scotland*) Act, 1860," and shall also be effectual as an Assignation of such Moveable or Personal Property in favour of the Petitioner.

Completion of Title of Judicial Factors.

15. Application for Authority to complete the Title of a Judicial Factor to any Trust Property or Estate under the Thirty-eighth Section of "The Titles to Land (*Scotland*) Act, 1860," may be contained in the Petition for the Appointment of such Factor, and such Application may include Moveable or Personal Property; and the Warrant to be granted in pursuance thereof shall, in so far as regards Heritable Property, be effectual as a Conveyance in manner specified in the said Act and in the preceding Section of this Act.

Powers of the Court under this Act to be exercised by the Lord Ordinary.

16. Applications to the Court under the Authority of this Act shall be by Petition addressed to the Court, and shall be brought in the first instance before One of the Lords Ordinary officiating in the Outer House, who may direct such Intimation and Service thereof and such Investigation or Inquiry as he may think fit, and the Power of the Lord Ordinary before whom the Petition is enrolled may be exercised by the Lord Ordinary on the Bills during Vacation, and all such Petitions shall as respects Procedure, Disposal, and Review be subject to the same Rules and Regulations as are enacted with respect to Petitions coming before the Junior Lord Ordinary in virtue of the Act Twentieth and Twenty-first *Victoria*, Chapter Fifty-six: Provided that when in the Exercise of the Powers pertaining to the Court of appointing Trustees and regulating Trusts it shall be necessary to settle a Scheme for the Administration of any charitable or other permanent Endowment, the Lord Ordinary shall after preparing such Schemes report to one of the Divisions of the Court, by whom the same shall be finally adjusted and settled; and in all Cases where it shall be necessary to settle any such Scheme, Intimation shall be made to Her Majesty's Advocate, who shall be entitled to appear and intervene for the Interests of the Charity or any Object of the Trust or the public Interest.

Court may pass Acts of Sederunt.

17. The Court shall be and is hereby empowered from Time to Time from and after the passing of this Act to make such Regulations by Act or Acts of Sederunt as may be requisite for carrying into

into effect the Purposes of this Act: Provided that within Fourteen Days from the Commencement of every future Session of Parliament there shall be laid before both Houses of Parliament Copies of all Acts of Sederunt made and passed under the Powers of this Act.

Resignation of Trustee who is also Executor to infer Resignation as Executor.

18. In all Cases where a Trust Deed appoints the Trustees to be also Executors, the Resignation of any such Trustee shall infer, unless where otherwise expressly declared, his Resignation also as an Executor under such Trust Deed.

Reservation of Powers in Trust Deeds and Questions under depending Actions, and Powers, &c. given by this Act, may be negatived by express Declaration.

19. Nothing in this Act contained shall be construed as innovating, revoking, or restricting any express Powers or Directions given to Trustees acting under any Trust Deed, or shall affect the Decision of any Question which may at the passing of this Act be the Subject of a depending Action; and none of the Powers and Incidents by this Act conferred or annexed to the Office of Trustee shall take effect or be exercised if it is declared in the Trust Deeds that they shall not take effect; and when there is no such Declaration, then if any Variations or Limitations of any of the Powers or Incidents by the Act conferred or annexed are contained in such Trust Deed, such Powers or Incidents shall take effect or be exercised only subject to such Variations or Limitations.

Short Title.

20. This Act may be cited for all Purposes as "The Trusts (*Scotland*) Act, 1867."

SCHE-

SCHEDULES.

SCHEDULE (A.)

FORM OF MINUTE OF RESIGNATION.

I *A.B.* do hereby resign as and from the Date hereof the Office of Trustee under the Trust Disposition and Settlement (*or other Deed*) granted by *C.D.* in favour of *E.F.*, *G.H.*, and myself, dated the Day of , and recorded in the Books of Council and Session (*or other Register*) the Day of . [*If the Trustee was assumed add,* and to which Office of Trustee I was assumed by Deed of Assumption granted by the said *E.F.* and *G.H.*, dated the Day of .] In witness whereof [*Testing Clause in the usual Form*].

SCHEDULE (B.)

FORM OF DEED OF ASSUMPTION.

I *A.B.* [*or* we *A.B.* and *C.D.*], the accepting and surviving [*or* remaining] Trustee [*or* Trustees, *or* a Majority and Quorum of the accepting and surviving Trustees], acting under a Trust Disposition and Deed of Settlement (*or other Deed*) granted by *E.F.* in favour of , dated the Day of [*if recorded, specify Register and Date of recording*], do hereby assume *G.H.* [*or G.H.* and *I.K.*] as a Trustee [*or* Trustees] under the said Trust Disposition and Settlement (*or other Deed*); and I [*or* we] dispone and convey to myself [*or* ourselves] and the said *G.H.* [*or G.H.* and *I.K.*] as Trustees under the said Trust Disposition and Settlement (*or other Deed*), and the Survivors or Survivor, and the Heirs of the last Survivor, the Majority, while more than Two are acting, being a Quorum, all and sundry the whole Trust Estate and Effects, Heritable and Moveable, Real and Personal, of every Description, or wherever situated, at present belonging to or under my (*or* our) Control as Trustees (*or* surviving Trustees, *or otherwise, as the Case may be,*) under the said Trust Disposition and Settlement, together with the whole Vouchers, Titles, and Instructions thereof. (*Then may follow, if wished, special Conveyances of Heritable or Personal Property with the usual*

Clauses of a Conveyance applicable to such Property, and as the Case may require.) And we consent to Registration hereof for Preservation, and also in the General or Particular [*or* Burgh] Register of Sasines for Publication. In witness whereof [*Testing Clause in the usual Form*].

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

expedient that Her Majesty, Her Heirs and Successors, be empowered to give from Time to Time further Directions respecting the Application of the Fund, subject to the Appropriations aforesaid, and respecting the Constitution and Powers of the Body of Commissioners, and the Conduct of the Business relating to the Fund, and that Provision be made respecting the vesting and Transmission of Property held in trust for the Purposes of the Fund:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The Patriotic Fund Act, 1867.

29 & 30 Vict. c. 120. repealed.

2. The Patriotic Fund Act, 1866, is hereby repealed.

Interpretation of Terms.

3. In this Act the Term "the First Lord of the Admiralty" means such one of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom as is for the Time being first named in their Commission; and the Provisions of this Act relative to the First Lord of the Admiralty extend and apply to the Lord High Admiral of the United Kingdom for the Time being in case at any Time Her Majesty, Her Heirs or Successors, is or are pleased to constitute a Lord High Admiral.

In this Act the Term "the Secretary of State for War" means such one of Her Majesty's Principal Secretaries of State as for the Time being Her Majesty is pleased to intrust with the Seals of the War Department.

In this Act the Term "the Paymaster General" means Her Majesty's Paymaster General for the Time being.

Confirmation of existing Appropriations and other Acts of Commissioners.

4. Such of the Acts of the Commissioners from Time to Time acting under the original Commission as relate to the Application and Appropriation of the Patriotic Fund, and as have from Time to Time been approved by Her Majesty, or been specified in their Reports made to Her Majesty and laid before the Houses of Parliament, shall be and be deemed to have been valid and binding, and are hereby respectively confirmed.

Application of Patriotic Fund subject to existing Appropriations.

5. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Supplementary Commission under the Royal Sign Manual, directed to such Persons as to Her Majesty, Her Heirs or Successors, seem fit, to authorize and direct the Commissioners thereby constituted to apply the Patriotic Fund and the Income and Accumulations thereof, or any Part or Parts thereof, subject to the Appropriations aforesaid (in such Manner as any such Commission

Commission from Time to Time directs, or, in the Absence of such Direction, or as far as such Direction, if any, does not extend, as the Commissioners think fit), to the Purposes and in the Order following:

First, in Relief of Widows, and Maintenance, Education, Training, and Advancement of Children, of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who lost their Lives in Battle in the late War with *Russia*, or in consequence of Wounds received in or by or in consequence of other Casualties sustained in or Disease contracted in that War:

Secondly, in Maintenance, Education, Training, and Advancement of Children of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who have lost or hereafter lose their Lives in Battle in any other War, or in consequence of Wounds received in or by or in consequence of other Casualties sustained in or Disease contracted in any other War:

Thirdly, in Maintenance, Education, Training, and Advancement of Children of other Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who have lost or hereafter lose their Lives in the Service of the Crown, or by or in consequence of Casualties sustained or Disease contracted in the Service of the Crown.

Contribution to Royal, &c. Institutions.

6. Any Supplementary Commission may authorize the Commissioners acting thereunder, for the better Accomplishment of any Purpose of the Commission, to increase, extend, or make Additions to any Royal or other Charitable Institutions founded within the United Kingdom for any of the Purposes for or towards which under the preceding Section the Commissioners have Power to apply the Patriotic Fund or the Accumulations thereof or of any Part thereof.

Saving for existing Arrangements.

7. Nothing in this Act shall be deemed to authorize the Insertion in any Supplementary Commission of any Authority or Direction that would prejudicially affect the Claim of any Person under any Grant or Arrangement made before the passing of this Act, or before the issuing of such Supplementary Commission, by the Commissioners acting under the original or any other Commission.

Official Trustees of Fund.

8. Any Supplementary Commission may direct that the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General shall be the Trustees of the Patriotic Fund, in trust to support the Appropriations in such Commission specified, and subject thereto in trust for any Purposes therein specified in conformity with the Provisions of this Act.

9. If

Vesting of Property in Trustees for Time being.

9. If by any Supplementary Commission the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General are constituted the Trustees of the Patriotic Fund, then any Real or Personal Property conveyed to or acquired by them (who are in this Act referred to as the Official Trustees of the Patriotic Fund) in the Capacity of Trustees of the Patriotic Fund shall vest in them as such, and the same shall go to and be held by their Successors in Office for the Time being, without any Conveyance or Assignment.

Accounts in Official Titles.

10. The Governor and Company of the Bank of *England* shall, when required by the Official Trustees of the Patriotic Fund, open and keep all Accounts of Annuities, Stocks, Funds, and Securities belonging to the Patriotic Fund, and standing in the Books of the said Governor and Company, as the Accounts of the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General for the Time being (by their official Titles) *ex parte* the Patriotic Fund; and all Interest and Dividends accruing on such Annuities, Stocks, Funds, and Securities shall, from Time to Time without any further Authority or Direction than this Act, be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Transfer of present Securities to Account of Official Trustees.

11. The Production to the Governor and Company of the Bank of *England*, or to any other Body, or to any Person, of this Act, and of the First Supplementary Commission thereunder, constituting the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General the Trustees of the Patriotic Fund, and of a Direction of the Commissioners of the Patriotic Fund in Writing, signed by their Secretary, shall be sufficient Authority to such Governor and Company, Body or Person, for the Transfer forthwith after the issuing of such Commission to the Account of the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General for the Time being, *ex parte* the Patriotic Fund, of all Annuities, Stocks, Funds, or Securities belonging to the Patriotic Fund at the issuing of such Commission, and specified in such Direction; and the said Governor and Company and every such Body or Person are and is hereby indemnified in respect of the Transfer made in accordance with such Direction.

Deposit of Securities in Bank of England.

12. All Securities from Time to Time belonging to the Patriotic Fund, and not standing in the Books of the Governor and Company of the Bank of *England*, shall be deposited in the Bank of *England* for the Credit and at the Disposal of the Official Trustees of the Patriotic

Patriotic Fund; and all Interest and Dividends accruing on such Securities shall from Time to Time, under the Authority and Direction of the Official Trustees of the Patriotic Fund, be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Proceeds of Sales to be carried to Account of Paymaster General.

13. On Sale at any Time, under the Authority and Direction of the Official Trustees of the Patriotic Fund, of any Annuities, Stocks, Funds, or Securities for the Time being standing to the Account of the Official Trustees of the Patriotic Fund in the Books of the Governor and Company of the Bank of *England*, and on Sale at any Time, under the like Authority and Direction, of any Securities belonging to the Patriotic Fund deposited in the Bank of *England*, the Proceeds of Sale shall be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Separate Cash Account by Paymaster General.

14. Any Cash for the Time being in the Hands of the Paymaster General belonging to the Patriotic Fund shall be carried to a separate Account in his Books.

Actions, &c. by and against Official Trustees.

15. The Official Trustees of the Patriotic Fund may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken for the Purposes of the Patriotic Fund, and may institute any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in them or purchased for the Patriotic Fund, and may distrain or sue for any Arrears of Rent due in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof, and may institute and prosecute any Action, Suit, or Proceeding, Civil or Criminal, concerning Property belonging to the Patriotic Fund; and in every such Action, Suit, or Proceeding they may be styled The Official Trustees of the Patriotic Fund, without more; and any such Action, Suit, or Proceeding shall not be affected by any Change in the Persons for the Time being holding the Offices of First Lord of the Admiralty and Secretary of State for War and Paymaster General, or either of them.

Style of Official Trustees in Deeds, &c.

16. In Deeds, Powers of Attorney, and other Instruments the Official Trustees of the Patriotic Fund may be so styled without the Names or Name of them or either of them being expressed.

17. The

Patriotic Fund.

Audit of Accounts.

17. The Accounts of the Receipts and Expenditure of the Patriotic Fund shall be audited by such Persons and in such Manner as the Commissioners of Her Majesty's Treasury from Time to Time direct.

Secretary and Clerks, &c.

18. Any Supplementary Commission may authorize the Commissioners acting thereunder to employ a Secretary and Clerks at Salaries, the same, with other proper Expenses, to be paid out of the Patriotic Fund.

Pensions and Retiring Allowances.

19. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Warrant under the Royal Sign Manual, on the Submission of the Commissioners of the Patriotic Fund, to award to any Person who has been employed by the Commissioners of the Patriotic Fund, acting under the Original or any Supplementary Commission, such Pension or retiring Allowance as to Her Majesty, Her Heirs or Successors, seems fit, to be paid out of the Patriotic Fund.

Exercise of Rights of Nomination to Schools, &c.

20. All Rights of Nomination to Schools or Institutions possessed by the Commissioners acting under the Original Commission, or by the Executive Committee of those Commissioners and for the Time being exerciseable, and all Powers relative thereto, may be exercised by the Commissioners for the Time being acting under any Supplementary Commission, or by the Executive Committee of those Commissioners, as any Supplementary Commission directs; and in the event of the Original and any Supplementary Commission being superseded, or of the Discontinuance of the Commissioners under any Supplementary Commission, or of a Reduction of the Number of those Commissioners below Twelve, then the same may be exercised by such Person or Persons as Her Majesty, Her Heirs or Successors, from Time to Time, by Warrant under the Royal Sign Manual, is or are pleased to direct.

Rodriguez Fund.

21. Any Supplementary Commission may direct that the Fund known as the *Rodriguez* Fund shall be applied for the same or the like Purposes as the Patriotic Fund, and the same shall be applied accordingly.

SCHE-

SCHEDULE.

Appropriations of Patriotic Fund (except for Victoria Asylum and Boys School).

1. The Sum of Two thousand five hundred Pounds Sterling invested in the Purchase of Two thousand seven hundred and forty-seven Pounds Five Shillings and One Penny New Three Pounds per Centum in the Names of Lord Colchester and Lieutenant-Colonel James Lindsay and of William Hillyar and Harry Lord Richards, and held under the Trusts, declared by a Deed Poll of the Ninth Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the Royal Commissioners, the Admission of Thirteen Boys, Sons of Soldiers, Sailors, or Marines of Her Majesty's Service, into the Royal Naval and Military Free School at Devonport.

2. The Sum of Two thousand five hundred Pounds Sterling invested in the Purchase of Two thousand seven hundred and forty-seven Pounds Five Shillings and One Penny New Three Pounds per Centum in the Names of the said Lord Colchester and Lieutenant Colonel James Lindsay and the Reverend Joshua Woolley, LL.D., and Captain Andrew Rogers Savage, Royal Marine Artillery, and held under the Trusts, declared by a Deed Poll of the Eighteenth Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the Royal Commissioners, the Admission of Eleven Boys, the Sons of Soldiers, Sailors, or Marines of Her Majesty's Service, into the Royal Seamen and Marines Orphan School, Portsea.

3. The Sum of Twenty-five thousand Pounds paid to the Governors of Wellington College, upon an Agreement confirmed by a Byelaw of the said Governors of the Twenty-seventh Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Eighteen Boys, Children of deceased Commissioned Officers in Her Majesty's Army, into the said College.

4. The Sum of One thousand Pounds paid to the Treasurer of the Cambridge Asylum at Kingston-on-Thames towards building, and Two thousand Pounds Sterling invested in the Purchase of Two thousand one hundred and sixteen Pounds Eight Shillings and One Penny New Three Pounds per Centum in the Names of the said Lord Colchester and Lieutenant-Colonel James Lindsay and James Liddell and George Tempest Rowland, and held under the Trusts, declared by a Deed Poll of the Third Day of September One thousand eight

eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Five Women, Widows of Soldiers, into the Cambridge Asylum.

5. The Sum of Five thousand Pounds Sterling paid to the Treasurer of the Royal Naval Female School at St. Margaret's, Isleworth, for the general Purposes of the Institution, and held under an Indenture or Deed of Covenant of the Sixteenth Day of April One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Five Pupils into the said Royal Naval Female School upon the Terms and Conditions mentioned in the said Indenture.

6. The Sum of Eight thousand Pounds Sterling paid to the Royal Naval School, New Cross, for the general Purposes of the Institution, under the Sanction of Parliament, to secure the Admission in perpetuity, on the Nomination of the said Royal Commissioners, of Seven Pupils, Sons of Naval or Marine Officers, upon the Terms and Conditions specified in the Twenty-third and Twenty-fourth Victoria, Chapter One hundred and four (Local and Personal).

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XCIX.

An Act for confirming an amended Scheme of the Charity Commissioners for the Charity called Sir *John Port*'s Hospital in *Etwall* and School in *Repton* in the County of *Derby*.

[12th *August* 1867.]

WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty-six, have reported that they have provisionally approved and certified a Scheme for Sir *John Port*'s Hospital in *Etwall* and School in *Repton* in the County of *Derby*, and such Scheme is set out in the Appendix to their said Report: 14th Report, dated 27th Feb. 1867.

And whereas it is expedient that the said Scheme, as the same is amended and set out in the Schedule to this Act, should be confirmed:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The said Scheme, as amended and set forth in the Schedule, shall be confirmed and take effect. Scheme, as amended, confirmed.

SCHEDULE.

SCHEME.

Commencement of Scheme.

1. This Scheme shall be finally established and come into full Operation upon the final passing of the Order of the Charity Commissioners appointing a Portion of the First Body of Trustees to be made as herein-after mentioned.

Dissolution of Corporation and Court of Management.

Establishment of Trustees.

2. Upon the final Establishment of this Scheme the existing Corporation, called the "Master, Schoolmaster, Ushers, Poor Men, and Poor Scholars of the "Hospital and Free School of Sir John Port, Knight, in Etwall and Repton, "otherwise Reppingdon, of the Foundation of the said Sir John Port," shall be dissolved, and the Court of Management thereof abolished. Thenceforth the Management and Control of the said Hospital and School, and of all the Possessions thereof, shall be vested in a Body of Trustees, who shall be called "Sir John Port's Trustees," and the legal Estate in all Lands and Hereditaments belonging to or held in trust for the Charity shall vest in "The Official Trustee of Charity Lands" and his Successors in trust for "Sir John Port's Trustees."

Vesting of Personal Estate.

3. All the Personal Estate and Effects of the Charity shall vest in the Official Trustees of Charitable Funds in trust for Sir John Port's Trustees.

Power of Sale as to Personal Estate.

4. It shall be lawful for the Trustees, with the Consent of the Charity Commissioners, to sell any Portion of the Personal Estate and Effects of the Charity either by Public Auction or Private Contract, and upon Payment of the Purchase Money the Official Trustees of Charitable Funds shall assign such Personal Estate as may be so sold to the Purchaser or Purchasers thereof freed and discharged from any Trust for Sir John Port's Trustees, and the Proceeds of such Sale shall be applied in manner herein provided.

First Trustees.

5. The First Members of the Body of Trustees shall be the Three Hereditary Governors of the Hospital and School; namely,—

The Most Noble Henry Weysford Charles Plantagenet Marquis of Hastings;

The Right Honourable George Philip Cecil Arthur Earl of Chesterfield, and Sir Robert Tolver Gerard, Baronet;

Sir John Harpur Crewe, Baronet, as Heir of John Harpur, Esquire, mentioned in the subsisting Charter;

The Reverend David Crawford Cochrane, M.A., in right and during Tenure of his Office of Master of the Hospital in Etwall; and Seven other Persons resident within Twenty Miles of the Schoolhouse at Repton:

Provided that no Person, except as aforesaid, deriving any Emolument from the Funds of the Charity shall be eligible to become or to act as a Trustee.

6. The

Sir John Port's Charity.

Trustees when to be appointed.

6. The First Trustees shall be appointed as follows:—Within Three Calendar Months after the Act confirming this Scheme has received the Royal Assent the Hereditary Governors shall appoint Three Trustees duly qualified as aforesaid; the other Four shall be appointed by order of the Charity Commissioners. If the Hereditary Governors neglect to appoint Three Trustees within the said Term of Three Months, so many Places as they neglect to fill shall be filled by order of the Charity Commissioners. If any of the Hereditary Governors or Sir John Harpur Crewe decline to act under this Scheme, his Place shall be filled by order of the Charity Commissioners.

Future Trustees.

7. The Hereditary Governors and the Heir for the Time being of John Harpur shall, if willing to accept and competent to act in the Trust, be always Members of the Body of Trustees. The remaining Trustees shall consist of Seven Persons duly qualified as aforesaid, of whom Three shall be appointed by the Hereditary Governors, and the remaining Four shall, after the First Appointment, be appointed by the general Body of Trustees, with the Sanction of the Charity Commissioners.

If Governors or Heir of John Harpur incompetent to act, or fail to appoint, the general Body shall fill Vacancies in the Trust.

8. If any of the Hereditary Governors or the Heirs of John Harpur declines or is incompetent to be a Trustee, or if the Hereditary Governors omit for the Space of Six Calendar Months after the Vacation of Office by any of the Trustees appointed by them to replace such Trustees, the Power of appointing Trustees to fill all such vacant Places shall be exercised by the general Body of Trustees, with the Sanction of the Charity Commissioners; provided always, that any of the Hereditary Governors or the Heir of John Harpur having been incompetent to act, and having become freed from such Incompetency, shall be entitled to act as a Trustee, though the Number may be thereby temporarily increased.

Vacancies in the Trust.

9. The Office of Trustee shall become vacant as to all the appointed Trustees on their Resignation or Bankruptcy, or on their ceasing to reside within Twenty Miles of the School-house in Repton, or their Refusal or Incapacity or Omission for a Period of Two consecutive Years to act.

Rights to vest in Trustees.

10. All Rights, Privileges, and the full Benefit of all subsisting Covenants, Conditions, and Securities made, reserved, or belonging to the existing Corporation or Court of Management, or to any Person in trust for them, and all Personal Estate and Right to sue for and recover all Rents, Choses in Action, and Monies belonging to or recoverable for the Benefit of the said Institutions, or either of them, shall immediately and from Time to Time vest and continue vested in "Sir John Port's Trustees" for the Time being, and the Right to sue upon or enforce all or any Covenants, Conditions, and Securities made, reserved, or contracted to or with the said Corporation or Court of Management before their Dissolution or Abolition, or to or with any preceding Members thereof, shall be exerciseable in the Name of "Sir John Port's Trustees" as fully and effectually as the same might have been exercised by and in the Name of such Corporation, Court of Management, or Members thereof, if this Scheme had not been established.

Advowson of Willington.

11. Upon the final Establishment of this Scheme the Advowson of Willington shall be sold, and the Proceeds of such Sale shall vest in Official Trustees of Charitable Funds, and their Successors, in trust for Sir John Port's Trustees, and shall be applied in the Manner herein-after directed.

12. So

Sale of the Advowson of Willington.

12. So soon as conveniently may be after this Scheme shall come into operation, the Trustees of the Charity, with the Concurrence of the Charity Commissioners, shall sell the Advowson of Willington, either by Public Auction or Private Contract, and upon Payment of the Purchase Money the Official Trustee of Charity Lands shall convey the said Advowson to the Purchaser thereof, or to such Person as he may appoint, freed and discharged from any Trust for Sir John Port's Trustees.

Foundation of Schools at Repton and Etwall.

13. The Proceeds of the Sale of the Advowson of Willington, together with such further Part of the Funds of the Charity as may be required for such Purposes, shall be applied, in conjunction with such Grant as shall be made by the Committee of the Privy Council on Education, to the Erection of Two Schoolhouses with Masters Residences, one to be situated in Repton and the other in Etwall.

Power to purchase Land for Schools.

14. It shall be lawful for the Trustees to purchase Land or Buildings in Repton and Etwall or either of them for the Purposes of providing Schoolhouses, and Houses for the Masters of the said Schools, or, at their Option, it shall be lawful for the Trustees to appropriate any Land or Buildings held in trust for the Charity at Repton or Etwall to such Purposes or any of them, and all Lands that may be purchased under this Provision shall vest in the Official Trustee of Charity Lands and his Successors in trust for "Sir John Port's Trustees."

Sale of the Hospital.

15. Upon receiving the Request in Writing of a Majority of the Trustees, of which Two shall be Hereditary Governors, the Official Trustee of Charity Land shall sell the Hospital and its Appurtenances, either by Public Auction or Private Contract, and upon Receipt of the Purchase Money shall convey the said Hospital and its Appurtenances to the Purchaser, or to such Person as he may appoint, freed and discharged from any Trust for Sir John Port's Trustees.

The Proceeds of the Sale of the Hospital.

16. The Proceeds of the Sale of the said Hospital, if and when the same shall be made, shall be invested in the Names of the Official Trustees of Charitable Funds, in trust for Sir John Port's Trustees, and the Income thereof shall be applied in the Manner herein-before provided with regard to surplus Income.

Appointments how to be filled up.

17. The Hereditary Governors shall have the Right of appointing the Head Master of the School and the Two Ushers thereof as heretofore, and the Sixteen Almsmen and Eight poor Scholars shall be appointed by the said Governors and the Heir of the said John Harpur as heretofore. All such Appointments shall be made within a reasonable Time.

No Lapse to Judge of Assize.

There shall be no Lapse of the Right of Appointment to the Judge of Assize, as provided by the Private Act of Parliament, Fifth George the Fourth, Chapter Thirty-eight, for regulating the Affairs of this Charity; but during Vacancies the Trustees shall make such Provision as seems to them expedient for the due Conduct of the School.

Power to appoint Almswomen instead of Almsmen.

18. It shall be lawful for the Hereditary Governors and the Heir of John Harpur for the Time being, if they shall think fit, from Time to Time, under special Circumstances of Indigence or Infirmity, to appoint Almswomen instead of Almsmen: Provided always, that the total Number of such Almsmen and Almswomen together shall not at any One Time exceed Sixteen: And the Word "Almsmen" in this Scheme shall include "Almswomen."

19. The

Duties of the Master of Hospital.

19. The present Master of the Hospital shall discharge such Functions as may be imposed on him by any Laws, Constitutions, or Ordinances made under the Authority herein-after conferred.

Upon the next Vacancy of the Office of Master of the Hospital the said Office shall cease and determine, and no further Appointment thereunto shall be made, and the Emolument of such Office shall thenceforth be applied in the Manner herein-after directed.

Trustees to have Management,

20. The Trustees shall have the general Management of the whole Property of the Charity, with such Power and Authorities as the Law confers on Trustees managing Property belonging to Charities.

and make Laws, Constitutions, and Ordinances.

21. The Trustees shall from Time to Time, and as Circumstances require, subject to the Approval of the Board of Charity Commissioners for England and Wales, frame Laws, Constitutions, and Ordinances for the Conduct and Management of all Matters connected with the Administration of their Trust, and its Possessions and Affairs, including the Regulation of their own Proceedings, and also for the Government and Conduct of the Almsmen, and existing Free School at Repton, and of all the Officers and Beneficiaries of the Charity.

Specifically as to free Education;

22. In framing such Laws, Constitutions, and Ordinances for the Government and Conduct of the said School it shall be lawful for them, with the Approval aforesaid, to make such Regulations or Restrictions respecting any Privileges of free Education which may be claimed by or be desirable to be conferred upon Residents in Repton, Etwall, or elsewhere, as may be most for the Benefit of the said Residents and School; provided that no such Laws, Constitutions, or Ordinances shall prevent or interfere with the Exercise of the Right of the Hereditary Governors and the Heir of John Harpur to appoint poor Scholars as heretofore.

and as to Residence and Attendance at Church of Almsmen and Master.

23. In framing such Laws, Constitutions, and Ordinances for the Regulation of the said Hospital and Almsmen, it shall be lawful for the Trustees, with the Approval aforesaid, to provide that the Almsmen shall be relieved from the Obligation to reside in the Hospital, or to attend Divine Service in Etwall Church, and that the Master shall be relieved from his Obligation to reside in the Hospital, or to perform Divine Service in Etwall Church, and to make such Regulations concerning these several Matters as from Time to Time shall appear to be required by Circumstances.

Removal of Beneficiaries.

24. The Trustees shall have the Power of removing or depriving of the Benefit of the Charity for Misbehaviour, or other just and sufficient Cause, any Person now receiving or hereafter appointed to receive the Benefit of the Charity; provided always, that such Removal shall be made with the Sanction of the Charity Commissioners.

Existing Rights preserved.

25. No Laws, Constitutions, or Ordinances made under the Authority of this Scheme shall, except as herein expressly provided, have the Effect of placing any existing Member of the Corporate Body in a worse Position with respect to his Emoluments and Privileges, or, without his own Consent, in any different Position, than he now holds under the present Constitution of the Charity.

26. After

Sir John Port's Charity.

Surplus Income.

26. After answering all the Expenses of Management, the Income of the Foundation shall be applied to the Support of One School at Repton and One School at Etwall for the Poor in connexion with the Committee of the Privy Council on Education, and next according to the Laws, Constitutions, and Ordinances to be made as aforesaid, in such Proportions and Manner as shall be deemed most for the Benefit of the Institutions, in the Support or Increase of either the Hospital or Out-Pensioners, and in the Support or Extension of the existing Free School in Repton.

Repeal of Acts.

27. When the First Code of such Laws, Constitutions, and Ordinances receives the Sanction of the Charity Commissioners, it shall be lawful therewith, and as Part thereof, to declare that the Private Acts of Parliament (5 Geo. IV. c. 38. and 6 and 7 William IV. c. 21.) which now regulate this Charity are wholly (with the Exception of the Eleventh Section of the Fifth George the Fourth, Chapter Thirty-eight, which enacts that all and every the poor Men to be hereafter nominated and appointed under or by the virtue of that Act shall be selected from the Poor or poorest of the Parish of Etwall, so long as proper Objects can there be found) repealed, and the same shall be wholly repealed accordingly; provided that this Repeal shall not affect the Validity or Invalidity of anything already done or suffered, or any Remedy or Proceeding in respect thereof.

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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Short Title.

3. This Act may be cited as The Naval Knights of *Windsor* Act, 1867.

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***

29 & 30 Vict. c. 90. repealed.

Scotland, are repealed: Provided always, that all Proceedings commenced or taken under the said Acts or any of them, in so far as hereby repealed, and not yet completed, may be proceeded with under the said Acts or any of them, or under this Act; and all Orders in Council, and all Directions and Regulations issued by the Board of Supervision under the said Acts or any of them, and all Appointments made, and all Contracts or Works undertaken, and generally all Claims, Rights, and Liabilities, Civil or Criminal, constituted or existing under the said Acts, before the passing of this Act, with the Remedies and Proceedings applicable thereto under the said Acts or this Act, shall continue and be as effectual as if the said Acts had not been repealed; and where in any Enactments of any Act, General or Local, which shall continue in force after the Commencement of this Act, any of the Acts or Parts of Acts hereby repealed is cited or referred to, such Enactments shall be interpreted as if this Act were cited or referred to therein, and as if the Provisions of this Act were substituted for the Provisions hereby repealed.

Interpretation of certain Terms.

3. In this Act the following Words and Expressions shall have the Meanings herein-after assigned to them, unless such Meaning is inconsistent with the Context:

The Word "Board" shall signify the Board of Supervision for the Relief of the Poor in *Scotland*:

The Word "Secretary" shall include Assistant Secretary:

The Expression "Medical Officer" shall signify a duly qualified Medical Practitioner appointed under the Act Eighth and Ninth *Victoria*, Chapter Eighty-three, or under this Act:

The Word "Sheriff" shall include Sheriff Substitute:

The Word "Burgh" shall include not only Royal Burgh, Parliamentary Burgh, Burgh incorporated by Act of Parliament, Burgh of Barony, and Burgh of Regality, but also any populous Place having a Town Council, Police Commissioners or Trustees exercising the Functions of Police Commissioners under any General or Local Act:

The Word "Magistrate" shall include a Magistrate or Judge having Police Jurisdiction under the General Police and Improvement (*Scotland*) Act, 1862, or under any General or Local Police Act which may be in force:

The Word "Decree" or "decern" shall include any Warrant, Sentence, Judgment, Order, or Interlocutor:

The Word "Owner" shall signify the Person for the Time entitled to receive, or who would, if the same were let, be entitled to receive, the Rents of the Premises, and shall include a Trustee, Factor, Tutor, or Curator, and in case of Public or Municipal Property

Property shall apply to the Persons to whom the Management thereof is intrusted:

The Word "Ship" shall include any Sailing or Steam Ship, Vessel, or Boat:

The Word "Premises" shall include Lands, Buildings, Structures of any kind, Streams, Lakes, Drains, Ditches, or Places open, covered, or inclosed, and any Ship, lying in any Sea, River, Harbour, or other Water, or *ex adverso* of any Place within the Limits of the Local Authority:

The Word "Person," and Words applied in this Act to any Person or Individual, shall apply to and include Women, Corporations, Clubs, Societies, Statutory Boards or Commissioners, Joint Stock Companies, Partnerships, Joint Owners, and Joint Occupants, and Trustees:

The Word "Company" shall apply to and include Commissioners:

The Expression "Author of a Nuisance" shall signify the Person through whose Act or Default the Nuisance is caused, exists, or is continued, whether he be the Owner or Occupier, or both:

The Expression "Common Lodging House" shall signify a House or Part thereof where Lodgers are housed at an Amount not exceeding Fourpence *per* Night for each Person, whether the same be payable nightly or weekly, or at any Period not longer than a Fortnight, or where the House is licensed to lodge more than Twelve Persons:

The Expression "Keeper of a Common Lodging House" shall include any Person having or acting in the Care and Management of a Common Lodging House.

4. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, for the special Purposes herein-after mentioned, be incorporated with and form Part of this Act, and shall be herein-after referred to as "The Lands Clauses Acts." 8 & 9 Vict. c. 19. and 23 & 24 Vict. c. 106. incorporated.

PART I.

Local Authority and Board of Supervision.

5. The following Bodies shall respectively be the Local Authority to execute this Act in the Districts hereunder stated in *Scotland*: Local Authorities, as herein-named, to execute this Act.

In Places within the Jurisdiction of any Town Council, and not subject to the Jurisdiction of Police Commissioners or Trustees as after mentioned,—the Town Council:

In Places within the Jurisdiction of Police Commissioners or Trustees exercising the Functions of Police Commissioners under any General or Local Act,—the Police Commissioners or Trustees:

In

In any Parish, or Part thereof, over which the Jurisdiction of a Town Council or of Police Commissioners or Trustees exercising the Functions of Police Commissioners does not extend,—the Parochial Board of such Parish:

Board of Supervision to determine the Local Authority in Parishes not wholly within the Jurisdiction of a Town Council, &c.

Provided always, that where any Parish shall be partly within and partly beyond the Jurisdiction of a Town Council and of Police Commissioners or Trustees, and of a Parochial Board, or of any Two or more of such Bodies, the Board, if Application be made to them by any of these Bodies, or by any Person having Interest, may, if they see fit, determine which of the said several Bodies shall be the Local Authority within the whole Limits or within any Portion of such Parish, and the Board may from Time to Time recal or vary such Determination; and provided further, that all Determinations already made under the Fifth Section of the Nuisances Removal (*Scotland*) Act, 1856, shall be valid and effectual till recalled or varied under this Act.

Where District in more than One County.

6. Where any Parish or Burgh shall be situated in more than One County, the Board shall, on Application being made to them by any Person having Interest, determine in which One of such Counties such Parish or Burgh shall be held to be situated for the Purposes of this Act, whose Decision shall be final; and the Jurisdiction and Powers of Magistrates, Justices, and Sheriffs, and the Powers of their Officers under this Act, shall be regulated accordingly, and the Board may from Time to Time recal or vary such Determination; provided always, that all Determinations already made under the Fifth Section of the Nuisances Removal (*Scotland*) Act, 1856, shall be valid and effectual till recalled or varied under this Act.

Local Authorities to be Bodies Corporate. Committees may be appointed.

7. The Local Authorities shall respectively be Bodies Corporate, designated by such Names as they may usually bear or adopt, with Power to sue and be sued in such Names, and to hold Lands for the Purposes of this Act; and the Local Authority may appoint any Committee or Committees of their own Body to receive Notices, to take Proceedings, and in all or certain specified respects to execute this Act, whereof Two shall be a Quorum, unless a larger Quorum be specified in their Appointment; and such Local Authority or their Committee, thereto duly authorized, may, by Minute or other Writing signed by the Chairman of such Body or Committee, empower any Officer or Person to make Complaints and take Proceedings on their Behalf; and all Acts done or Proceedings taken by or against such Committee or Officer or Person shall be as valid as if they were done by or taken in the Name of all the Members of the Local Authority; and the Local Authority shall have Power to commence or carry on all Proceedings commenced, or which might have been commenced before the passing of this Act, by the Local Authority under any of the before repealed Acts, and shall be vested with all Property

Property or pecuniary Claims so vested in such last-mentioned Local Authority.

Local Authority to appoint Sanitary Inspectors and other Officers.

8. The Local Authority may, and where it shall be thought necessary by the Board for the Purposes of this Act the Local Authority shall, appoint a Sanitary Inspector or Inspectors, who shall be also Inspector or Inspectors of Common Lodging Houses, and a Medical Officer or Medical Officers, and may make Byelaws for regulating the Duties of such Inspectors and Medical Officers, which Byelaws shall not be effectual until they are approved of by the Board; and the Local Authority shall appoint convenient Places for their Offices, and shall allow to every such Inspector or Medical Officer on account of his Employment a proper Salary; and if no such Inspector or Medical Officer is appointed the Local Authority shall, in all Cases in which any Duty is laid on them by this Act, appoint some Person, where the same shall be necessary, to perform such Duty, and shall remunerate him as they shall see fit; and the Names and Addresses and Salaries of the said Inspectors and Medical Officers shall be reported by the Local Authority to the Board immediately on such Persons being appointed and such Salaries fixed; and the said Inspectors and Medical Officers shall be bound to make such Returns and Special Reports to the Board as the Board shall require them to make; and the said Inspectors shall be removable from Office only by the Board, except in the Case where the Local Authority is the Town Council or Police Commissioners or Trustees in any Burgh in *Scotland* having a Local Act for Police Purposes, or having a Population of Ten thousand or upwards according to the Census last taken, in which Case the Inspectors shall be removable from Office by the Local Authority.

Powers of the Board to require Returns and examine Witnesses.

9. It shall be lawful for the Board, upon written Application by Two or more Parties interested or upon the Report of any of their Inspecting Officers, to inquire into the Sanitary Condition of any Parish in *Scotland*, or into the Sanitary Condition of any Burgh in *Scotland* not having a Local Act for Police Purposes, or not having a Population of Ten thousand or upwards according to the Census last taken, and also in these Two latter Cases with the Consent of One of Her Majesty's Principal Secretaries of State, after duly considering any Representation which may be made to him by any Town Council, stating that such Consent ought not in the Case of such Burgh to be given; and for this Purpose the Board are hereby empowered to make Inquiries, and require Answers or Returns to be made to the Board upon any Question or Matter connected with or relating to the Purposes of this Act, and also by a Summons, signed by One of their Number

or by the Secretary, to require the Attendance of all such Persons as they may think fit to call before them upon any such Question or Matter, and to administer Oaths to and examine upon Oath all such Persons, and to require and enforce the Production upon Oath of all Books, Contracts, Agreements, Accounts, and Writings, or Copies thereof respectively, in anywise relating to any such Question or Matter, or, in lieu of requiring such Oath as aforesaid, the Board may, if they think fit, require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined.

Power to Board to authorize Special Inquiries to be made.

10. It shall and may be lawful for the Board, whenever it may seem fitting to them, with the Consent of One of Her Majesty's Principal Secretaries of State or of Her Majesty's Advocate for *Scotland*, to authorize and empower for a limited Time One of the Members thereof to conduct any Special Inquiry in any Part of *Scotland*, and to report thereon to the Board; and such Member so authorized and empowered shall be entitled to summon and examine on Oath Witnesses and Havers, and to exercise all such other of the Powers by this Act given to the Board as may be necessary for conducting such Inquiry, and such Member shall be reimbursed by the Board of all Expenses necessarily incurred by him in conducting such Inquiry, and such Expenses shall be deemed Part of the Expenses attending the Execution of this Act, and be defrayed in the same Manner as the General Expenses of the Board are now defrayed.

Power to Board to appoint Commissioners for conducting Special Inquiries.

11. It shall and may be lawful for the Board, whenever it may seem fitting to them, with the Consent of One of Her Majesty's Principal Secretaries of State or of Her Majesty's Advocate for *Scotland*, or whenever the Board may be thereunto required by One of Her Majesty's said Secretaries of State or by Her Majesty's Advocate, to appoint some Person, not being a Member of the Board, but being a Member of the Faculty of Advocates, or a duly qualified Medical Practitioner, or an Architect or Surveyor or Engineer, or Two of such Persons, to act as a Commissioner or Commissioners for the Purpose of conducting any Special Inquiry for a limited Period, and to report thereon; and the Board shall delegate to every Person so appointed for the Purpose of conducting such Inquiry all such of the Powers of the Board as they may deem necessary or expedient for summoning or examining Witnesses and Havers, and otherwise conducting such Inquiry; and every such Appointment shall be subject to the Approval of One of Her Majesty's said Secretaries of State or of Her Majesty's said Advocate; and every Person so appointed as aforesaid to conduct any

any Special Inquiry shall, before he enter on the Execution of his Duties, take an Oath De fideli administratione officii, which Oath may be administered to him by any Member of the Board, or by any One of the Judges of the Court of Session, or by the Sheriff of any County; and it shall not be necessary to notify the Appointment of any such Commissioner otherwise than by intimating the same by Letter under the Hand of the Secretary or of any Member of the Board to the Sheriff of the County within which the Inquiry in question is to be made; and every such Commissioner shall be reimbursed by the Board for all Expenses necessarily incurred by him in conducting such Inquiry, and shall also receive such reasonable Remuneration for his Time and Trouble as may have been agreed upon between him and the said Board, and approved of by the Commissioners of Her Majesty's Treasury, or by such Person or Persons as they shall name.

Power to Board to allow Expenses of Witnesses, &c.

12. It shall be lawful for the Board, in any Case where they see fit, to order and allow such Expenses of Witnesses, and such Expenses of or concerning the Production of any Books, Contracts, Agreements, Accounts, or Writings, or Copies thereof, to or before the said Board, or Member thereof, or Commissioner or Commissioners, as such Board may deem reasonable; and such Expenses so ordered and allowed shall be deemed Part of the Expenses attending the Execution of this Act, and be defrayed in the same Manner as the general Expenses of this Board are now defrayed.

Penalties on Parties giving false Evidence or refusing to obey Summons of the Board.

13. If any Person, upon any Examination on Oath under the Authority of this Act, shall wilfully give false Evidence, he shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties thereof; and in case any Person shall wilfully refuse to attend in obedience to any Summons of the Board, or Member or Commissioner authorized or appointed by the Board as aforesaid, or to give Evidence, or shall wilfully refuse to produce any Books, Contracts, Agreements, Accounts, and Writings, or Copies of the same, which may be required to be produced before the Board, or Member thereof, or Commissioner or Commissioners, or shall wilfully neglect or disobey any of the Orders of the Board, or Member or Commissioner, or be guilty of any Contempt of the Board, or Member or Commissioner, such Person being thereof lawfully convicted, shall forfeit and pay for the First Offence any Sum not exceeding Five Pounds, for the Second and every subsequent Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds.

Power to Board to appoint Clerks, &c.

14. The Board are hereby empowered from Time to Time to appoint all such Officers and Clerks as they shall deem necessary, and

and from Time to Time, at the Discretion of the Board, to remove such Officers and Clerks, or any of them, and to appoint others in their Stead; provided that the Amount of the Salaries of such Officers and Clerks shall from Time to Time be regulated by the Commissioners of Her Majesty's Treasury; and the Name of every Person so appointed or removed as aforesaid shall forthwith be intimated to One of Her Majesty's Principal Secretaries of State for his Approval, who shall be understood to approve of such Appointment or Removal, if no Notice to the contrary be received by the Board within Twenty-one Days from the Day of the Date of such Intimation.

Salaries of Legal Members of Board.

15. The Sheriffs of *Perth*, *Renfrew*, and *Ross* and *Cromarty* shall each receive, so long as they act as Members of the Board of Supervision, the Sum of One hundred and fifty Pounds Sterling *per Annum*, and such Allowance shall come in place of the Allowance of One hundred Pounds Sterling provided to the said Sheriffs by the Act Eighth and Ninth of Her Majesty, Chapter Eighty-three, Section Four.

PART II.

Removal of Nuisances.

Description of Nuisances under this Act.

16. The Word "Nuisance" under this Act shall include—

(*a.*) Any Insufficiency of Size, Defect of Structure, Defect of Ventilation, Want of Repair or proper Drainage, or suitable Watercloset, or Privy Accommodation or Cesspool and any other Matter or Circumstance rendering any inhabited House, Building, Premises, or Part thereof, injurious to the Health of the Inmates or unfit for Human Habitation or Use:

(*b.*) Any Pool, Watercourse, Ditch, Gutter, Drain, Sewer, Privy, Urinal, Cesspool, or Ashpit so foul as to be injurious to Health, or any Well or other Water Supply used as a Beverage or in the Preparation of Human Food, the Water of which is so tainted with Impurities or otherwise unwholesome as to be injurious to the Health of Persons using it, or calculated to promote or aggravate epidemic Disease:

(*c.*) Any Stable, Byre, Pigstye, or other Building in which any Animal or Animals are kept in such a Manner as to be injurious to Health:

(*d.*) Any Accumulation or Deposit of Manure or other offensive Matter within Fifty Yards of any Dwelling House within the Limits of any Burgh, or wherever situated, if injurious

to

to Health, or any Accumulation of Police Manure within a Quarter of a Mile of the Municipal Boundaries of any Burgh (excepting the City of *Glasgow*), or any Accumulation of Deposits from Ashpits or Manure from Town or Village laid nearer than Fifty Yards to a Public or Parish Road or Dwelling House:

(*e.*) Any Work, Manufactory, Trade, or Business injurious to the Health of the Neighbourhood, or so conducted as to be offensive or injurious to Health, or any Collection of Bones or Rags injurious to Health:

(*f.*) Any House or Part of a House so overcrowded as to be dangerous or injurious to the Health of the Inmates:

(*g.*) Any Factory, Workshop, or Workplace, not under the Operation of any General Act for the Regulation of Factories or Bakehouses, and not kept in a cleanly State, or not ventilated in such a Manner as to render harmless, as far as practicable, any Gases, Vapours, Dust, or other Impurities generated in the course of the Work carried on therein, and injurious or dangerous to the Health of Persons employed therein, or any such Factory, Workshop, or Workplace as is so overcrowded, while Work is carried on therein, as to be dangerous or injurious to the Health of those employed therein:

(*h.*) Any Fireplace or Furnace which does not as far as practicable consume the Smoke arising from the combustible Matter used in such Fireplace or Furnace, and is used within any Burgh, for working Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, or Gaswork, or in any Manufactory or Trade Process whatsoever:

(*i.*) Any Chimney (not being the Chimney of a private Dwelling House) sending forth Smoke so as to be injurious to Health:

Provided that in Places where at the Time of the passing of this Act no Enactment is in force compelling Fireplaces or Furnaces to consume their own Smoke, the foregoing Enactment as to Fireplaces and Furnaces consuming their own Smoke shall not come into operation until the Expiration of One Year from the Date of the passing of this Act:

(*j.*) Any Churchyard, Cemetery, or Place of Sepulture so situated or so crowded with Bodies or otherwise so conducted as to be offensive or injurious to Health.

Power of Entry to Local Authority or their Officers.

17. If the Local Authority or Sanitary Inspector have reasonable Grounds for believing that Nuisance exists in any Premises, such Local Authority or Inspector may demand Admission for themselves, the Superintendent of Police, and the Medical Officer, or

or any other Person or Persons whom the Local Authority may desire to inspect such Premises, or for any or all of them, to inspect the same at any Hour between Nine in the Morning and Six in the Evening, or at any Hour when the Operations suspected to cause the Nuisance are in progress or are usually carried on; and if Admission be refused, the Local Authority or Sanitary Inspector may apply to the Sheriff, or to any Magistrate or Justice of the Peace having Jurisdiction in the Place, stating on Oath such Belief; and such Sheriff, Magistrate, or Justice may, with or without Intimation to the Owner, Occupier, or Person in charge of the Premises, by Order in Writing, require the Occupier or Person having the Custody of such Premises to admit the Local Authority and others foresaid; and if such Occupier or Person refuse or fail to obey such Order, he shall on Conviction of such Offence be liable to a Penalty not exceeding Five Pounds; and on being satisfied of such Failure or Refusal, the Sheriff, Magistrate, or Justice may grant Warrant to such Person or Persons for immediate forcible Entry into the Premises; and if no such Occupier or Person can be discovered, or if no Person is found on the Premises to give or refuse Admission, the Local Authority or their Officers may enter the Premises without any Order or Warrant, and forcibly, if need be.

Proceedings by Local Authority when Nuisances are ascertained to exist.

18. In any Case where the Existence of a Nuisance is ascertained to their Satisfaction by the Local Authority, or is certified to them in Writing, signed by the Medical Officer, or where the Nuisance in the Opinion of the Local Authority did exist at the Time when Demand of Admission was made or the Certificate was given, and, although the same may have been since removed or discontinued, is in their Opinion likely to recur or to be repeated, they may apply to the Sheriff or to any Magistrate or Justice, by summary Petition in manner herein-after directed, and if it appear to his Satisfaction that the Nuisance exists, or, if removed or discontinued since the Demand of Admission was made or the Certificate was given, that it is likely to recur or to be repeated, he shall decern for the Removal or Remedy or Discontinuance or Interdict of the Nuisance as herein-after mentioned; provided that in the Cases under the Heads marked (*e.*) and (*g.*) in Section Sixteen such Application shall be made only on Medical Certificate as aforesaid, or on a Requisition in Writing under the Hands of any Ten Inhabitants of the District of the Local Authority, and that in these Cases, and the Cases under the Heads marked (*h.*) and (*i.*) in said Sections, shall be made only to the Sheriff; and farther, that in the Cases under the Head marked (*j.*) in Section Sixteen it shall not be necessary to cite any Person as the Author of the Nuisance, but such Application shall be proceeded with by the Sheriff (to whom alone it shall be made) after such Intimation to the Collector

of the Churchyard or other Dues, or to such other Person as to the Sheriff shall seem meet; and such Person or Persons as shall appear after such Intimation shall, if the Sheriff think proper, be allowed to be heard and to object to such Application in the same Manner as if he or they were the Author of the alleged Nuisance within the Meaning of this Act.

Form of Interlocutor.

19. It shall not be necessary to restrict such Decree to any special Remedy prayed for in the Petition, but, as the Case shall require, the Author of the Nuisance or Owner of the Premises may be ordained to provide sufficient Privy or Watercloset or Ashpit Accommodation, Means of Drainage or Ventilation for, or to repair, make safe, and habitable, or to floor, pave, cleanse, whitewash, disinfect, or purify, the Dwelling House, Building, or Premises, or to drain, empty, cleanse, fill up, cover, repair, or remove any Pool, Ditch, Gutter, Watercourse, Privy, Cesspool, Drain, or Ashpit, or to shut up or purify any Well, or to provide a Substitute for that complained of, or to abstain from any Operation which may pollute a Well or Stream from which the Inhabitants obtain a Supply of Water, or to cease to use the Water of any Well or Stream as a Beverage or in the Preparation of Human Food, or to remove the Animal, or to carry away the offensive Matter, or to discontinue the Work, Trade, Manufactory, or Business, or prevent the injurious Effects thereof (according to the Nature of the Case), or to limit the Number of Persons who may be accommodated in any House or Part thereof overcrowded, or the Number of separate Dwellings into which such House or Part thereof may be divided or let for the Use of separate Families or Persons, or to increase the Means of Ventilation, or to shut up or regulate the Use of any Churchyard, Cemetery, or Place of Sepulture, or to do such other Works or Acts as are necessary to remove the Nuisance complained of, in such Manner and within such Time as in the Interlocutor shall be specified; and if the Sheriff, Magistrate, or Justice is of opinion that such or the like Nuisance is likely to recur, he may further grant Interdict against the Recurrence of it, or do otherwise, as the Case may in his Judgment require; and if the Nuisance proved to exist be such as to render a House or Building unfit for Human Habitation, he may prohibit the using thereof for that Purpose until it is rendered fit for that Purpose, or do otherwise as the Case may in his Judgment require.

Penalty for Contravention of Decree and of Interdict.

20. If the said Decree be not complied with in good and sufficient Manner, and within the Time appointed, the Author of the Nuisance, or the Owner, as the Case may be, shall be liable, in the Case of Nuisances specified in Clauses (*a.*), (*b.*), (*c.*), (*d.*), (*f.*), (*i.*), and

and (*j.*) in Section Sixteen of this Act, to a Penalty of not more than Ten Shillings *per* Day during his Failure so to comply; and if the said Interdict be knowingly infringed by the Act or Authority of the Owner or Occupier, such Owner or Occupier shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings *per* Day during such Infringement; and in the Case of Nuisances specified in Clauses (*e.*), (*g.*), and (*h.*) in the said Section, the Party not complying with or infringing such Decree shall be liable to a Penalty not exceeding Five Pounds nor less than Two Pounds for the First Offence, and of Ten Pounds for the Second, and for each subsequent Conviction a Sum double the Amount of the Penalty in the last preceding Conviction, but no Penalty shall exceed Two hundred Pounds: Provided always, in the Case of such last-mentioned Nuisance (*h.*), that if it appears to the Sheriff that the best Means then known to be available for mitigating the Nuisance, or the injurious Effects thereof, have not been adopted, he may suspend his final Determination upon condition that the Author of the Nuisance shall undertake to adopt within a reasonable and definite Time such Means as he shall judge to be practicable, and order to be carried into effect, for mitigating or preventing such injurious Effects.

Order when structural Works are required.

21. When it shall appear to the Sheriff, Magistrate or Justice that the Execution of structural Works is required for the Removal or Remedy of a Nuisance, he may appoint such Works to be carried out under the Direction and subject to the Approval of any Person he may appoint; and he may, before making his Order, require the Local Authority, within a Time to be specified by him, to furnish him with an Estimate of the Cost of the required Works.

Local Authority to do Works on Owner's or Occupier's Default, or if Person causing Nuisance cannot be found.

22. In case of Noncompliance with or Infringement of any Decree aforesaid, the Sheriff, Magistrate, or Justice may, on Application by the Local Authority, grant Warrant to such Person or Persons as he may deem right to enter the Premises to which such Decree relates, and remove or remedy the Nuisance thereby condemned or interdicted, and do whatever may be necessary in execution of such Decree; or if in the original Application it appears to his Satisfaction that the Author of the Nuisance is not known or cannot be found, then such Decree may at once ordain the Local Authority to execute the Works thereby directed; and all Expenses incurred by the Local Authority in executing the Works may be recovered from the Author of the Nuisance or the Owner of the Premises.

23. Any

Manure, &c. to be sold.

23. Any Article or Articles removed by the Local Authority in pursuance of this Act may be sold by Public Roup, after not less than Five Days Notice by printed Handbills posted in the Locality, except in Cases where Delay would be prejudicial to Health, or in which the Article or Articles are not of the Value of Two Pounds or upwards, in which Case the Sheriff, Magistrate, or Justice may, by Writing under his Hand, order the immediate Removal, Sale, or Destruction of the Thing, and the Proceeds of the Sale shall be retained by the Local Authority, and applied *pro tanto* in Payment of all Expenses incurred under this Act with reference to such Nuisance; and the Surplus, if any, shall be paid, on Demand, by the Local Authority, to the Owner of such Thing; and the Balance of such Expenses shall be defrayed, if such Proceeds are insufficient for that Purpose, by the Author of the Nuisance or the Owner of the Premises.

Foul Ditches, &c. may be replaced by Sewers.

24. Whenever any Watercourse, Ditch, Gutter, or Drain along the Side of any public Road, Street, or Lane shall be used or partly used for the Conveyance of any Water, Sewage, or other Matter from any Premises, and cannot in the Opinion of the Local Authority be rendered free from Foulness or offensive Smell without the laying down of a Sewer or of some other Structure, such Local Authority shall and they are hereby required, subject to the Approval of the Board, to lay down such Sewer or other Structure within the Limits of their District, or, where necessary for the Purpose of Outfall or Distribution of Sewage, without their District, and to keep the same in good and serviceable Repair; and they may enter any Premises for such Purposes, and use such Part thereof as shall be necessary, and for such Use shall pay such Damages as may be assessed by the Sheriff on a summary Application, and to such Party as the Sheriff may direct: Provided always, that no Damage shall be payable to any Person who has caused or contributed to cause such Watercourse, Ditch, Gutter, or Drain to become foul or offensive, unless such Person shall satisfy the Sheriff that he had justifiable excuse for so doing; and such Local Authority are hereby authorized and empowered to assess the Owners of all the Premises (according to the yearly Value thereof) from which then or at any Time thereafter any Material other than pure Water flows, falls, or is carried into the said Sewer or other Structure, for Payment of all Expenses incurred in making and maintaining the same, and that either in One Sum or in Instalments, as they shall think just and reasonable, and after Fourteen Days Notice at the least left with the said Owners, if resident within the District, and if not so resident with the Occupiers of the said Premises, to levy and collect the Sums so assessed, with the same Remedies

in case of Default in Payment thereof as are herein-after provided with reference to the general Charge and Expenses incurred by the Local Authority under this Act.

Act not to affect Navigation of Rivers or Canals, or Irrigation of Lands.

25. Nothing in this Act contained shall enable any Local Authority or other Person to injuriously affect—

(1.) The Irrigation of Lands in a rural District, or the Supply of Water used for such Irrigation;

(2.) The Supply of Water required for the Purposes of any Waterworks established by Act of Parliament, or of the Compensation Water required to be given by the Owners of such Waterworks, unless the Local Authority shall have previously obtained the Consent of such Owners;

(3.) The Navigation on or Use of any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin in respect of which any Persons are by virtue of any Act of Parliament entitled to take Tolls or Dues, or the Supply of Water to the same, or any Bridges crossing the same, or any Towing-path thereon;

Provided always, that it shall not be lawful for the Local Authority to execute any Works in, through, or under any Wharves, Quays, Docks, Harbours, Locks, Reservoirs, or Basins without the Consent in Writing in every Case of the Persons entitled by virtue of any Act of Parliament to take Tolls or Dues in respect thereof, and such Persons may at their own Expense, and on substituting other Sewers, Drains, Culverts, and Pipes equally effectual, and certified as such by the Inspector to the Local Authority, take up, divert, or alter the Level of any Sewers and Drains, Culverts or Pipes, constructed by any Local Authority, and passing under or interfering with such Rivers, Canals, Docks, Harbours, Reservoirs, or Basins, or the Towing-paths thereof, and do all such Matters and Things as may be necessary for carrying into effect such taking up, Diversion, or Alteration.

Penalty on Sale of unwholesome Meat.

26. The Sanitary Inspector may at all reasonable Times enter any Premises to inspect and examine any Carcass, Meat, Poultry, Game, Flesh, Fish, Fruit, or Vegetables exposed for Sale, or which there is probable Cause for believing to be intended for Human Food; and in case any such Carcass, Meat, Poultry, Game, Flesh, Fish, Fruit, or Vegetables appear to him to be unfit for such Food, the same may be seized without any Warrant; and if it appear to the Sheriff, or any Two Magistrates or Justices, that any such Carcass, Meat, Poultry, Game, Flesh, Fish, Fruit, or Vegetables are unfit for the Food of Man, he or they shall, by a Writing under his or their Hand or Hands, order the same to be destroyed,

or to be so disposed of as to prevent the same being exposed for Sale or used for such Food; and the Person to whom such Carcass, Meat, Poultry, Game, Flesh, Fish, Fruit, or Vegetables belong, or in whose Custody the same are found, shall be liable to a Penalty not exceeding Ten Pounds for such Carcass, Piece of Meat or Flesh, or for any Quantity of Fish, Poultry, Game, Fruit or Vegetables, or any Refuse thereof, and also to pay all Expenses caused by the Seizure, Detention, or Disposal thereof.

Penalty for causing Water to be corrupted by Gas Washings, &c.

27. Any Person engaged in the Manufacture of Gas, Naphtha, Vitriol, Paraffine, or Dye Stuffs, or any other deleterious Substance, or in any Trade in which the Refuse produced in any such Manufacture is used, who shall at any Time cause or suffer to be brought or to flow into any Stream, Reservoir, Aqueduct, Well, or Pond, or Place for Water, constructed or used for the Supply of Water for domestic Purposes, or into any Pipe or Drain communicating therewith, any Product, Washing, or other Substance produced in any such Manufacture, or shall wilfully do any Act connected with any such Manufacture whereby the Water in any such Stream, Reservoir, Aqueduct, Well, Pond, or Place for Water shall be fouled, and any Person who shall wilfully do or permit to be done any Act whereby the Water in any Stream, Reservoir, Aqueduct, Well, Pond, or Place constructed for the Supply of Water for domestic Purposes shall be fouled, shall forfeit for every such Offence a Sum not exceeding Fifty Pounds.

Such Penalties, &c. to be sued for within Six Months.

28. Such Penalty may be recovered, with Expenses, by the Person into whose Water such Product, Washing, or other Substance shall be conveyed or shall flow, or whose Water shall be fouled by any such Act as aforesaid, or in default of Proceedings by such Person, after Notice to him from the Local Authority of their Intention to proceed for such Penalty, or if there be no such Person, by the Local Authority; but such Penalty shall not be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it shall have ceased.

Daily Penalty during the Continuance of the Offence.

29. In addition to the said Penalty (and whether such Penalty shall have been recovered or not), the Person so offending shall forfeit a Sum not exceeding Five Pounds (to be recovered in the like Manner) for each Day during which such Product, Washing, or other Substance shall be brought or shall flow as aforesaid, or during which the Act by which such Water shall be fouled shall continue, after the Expiration of Twenty-four Hours from the Time when Notice of the Offence shall have been served on such Person by

by the Local Authority, or by the Person into whose Water such Product, Washing, or other Substance shall be brought or flow, or whose Water shall be fouled thereby, and such Penalty shall be paid to the Local Authority or Person from whom such Notice shall proceed; and all Monies recovered by the Local Authority under this or the preceding Section shall, after Payment of any Damage caused by the Act for which the Penalty is imposed, be applied towards defraying the Expenses of executing this Act.

Offensive Trades to be subject to Regulations.

30. The Business of a Blood Boiler, Bone Boiler, Tanner, Slaughterer of Cattle, Horses, or Animals of any Description, Soap Boiler, Skinner, Tallow Melter, Tripe Boiler, or other Business, Trade, or Manufacture injurious to Health, shall not, after the passing of this Act, be newly established or enlarged in any Building or Place within any Burgh or Village, or within Five hundred Yards therefrom, without the Consent in Writing of the Local Authority previously had and obtained, and published in One or more Newspapers circulating within the District; and if any Question arises under this Section as to the Existence or Limits of a Burgh or Village, or as to the Extent included within the said Five hundred Yards, or as to whether a Business, Trade, or Manufacture, other than those above specified, is injurious to Health, or as to whether such Consent ought to have been given, any such Question shall be finally determined by the Board; and the Party dissatisfied may bring the same before the Board within Twenty-one Days after the Resolution or Order of the Local Authority has been published as aforesaid; and any Person contravening this Enactment shall, in addition to Discontinuance of such Business, Trade, or Manufacture, be liable for each Offence to a Penalty not exceeding Fifty Pounds, and a further Penalty of not exceeding Forty Shillings for each Day during which the Offence is continued; and the Local Authority may from Time to Time make such Byelaws with respect to any such Businesses so newly established as they may think necessary, and in order to prevent or diminish the noxious or injurious Effect thereof.

PART III.

Prevention and Mitigation of Diseases under Order in Council.

Privy Council empowered to issue

31. Whenever any Part of the United Kingdom appears to be threatened with or is affected by any formidable epidemic, endemic, or contagious Disease, the Lords and others of Her Majesty's Most Honourable

Honourable Privy Council, or any Three or more of them (the Lord President of the Council or One of Her Majesty's Principal Secretaries of State being One), may, by Order or Orders by them from Time to Time made, direct that the Provisions for the Prevention of Diseases contained in Part III. hereof be put in force in *Scotland*, or in such Parts thereof or in such Places therein as in such Order or Orders may be expressed, and may from Time to Time, as to all or any of the Parts or Places to which any such Order or Orders extend, and in like Manner, revoke or renew any such Order; and, subject to Revocation and Renewal as aforesaid, every such Order shall be in force for Six Calendar Months, or for such shorter Period as in such Order shall be expressed; and every such Order of Her Majesty's Privy Council or any Members thereof as aforesaid shall be certified under the Hand of the Clerk in Ordinary of Her Majesty's Privy Council, and shall be published in the *Edinburgh Gazette*, and such Publication shall be conclusive Evidence of such Order.

Orders for Prevention of Diseases.

32. When any such Order has been issued, the Board shall be vested with the Powers after provided; and it shall be lawful for Her Majesty to appoint the Sheriff of any County in *Scotland*, other than *Renfrew*, *Perth*, or *Ross* and *Cromarty*, to be an additional Member of the Board during the Subsistence of such Order, and such Sheriff shall receive such Remuneration as the Commissioners of Her Majesty's Treasury may think proper, not exceeding One hundred and fifty Pounds *per Annum*, to be paid out of Money to be voted for that Purpose by Parliament; and the Board may also appoint a General or Superintending Medical Officer to act under their Directions during such Period, and such Officer shall receive a Salary to be fixed and paid in like Manner; and the Board may, with the Sanction of the said Commissioners of Her Majesty's Treasury, employ such additional Clerks as may be necessary during such Period; and the Salary of such Clerks and the Office Expenses incurred under this Act shall be defrayed in the same Manner as the general Expenses of the Board are now defrayed.

When Order is issued, Board to be vested with certain Powers.

Power to appoint a Medical Officer and additional Clerks.

33. From Time to Time, after the issuing of any such Order as aforesaid, and whilst the same continues in force, the Board may issue such Directions and Regulations as they shall think fit for the Prevention, as far as possible, or Mitigation of such epidemic, endemic, or contagious Diseases, and from Time to Time may revoke, renew, and alter any such Directions and Regulations; and the same shall extend to all Parts or Places in which the Provisions of this Act for the Prevention and Mitigation of Disease shall, for the

Power to Board to issue Regulations to carry out such Provisions of Order.

Local Extent and Duration of the Regulations of the Board.

the Time being, be put in force under such Orders as aforesaid, unless such Directions and Regulations be expressly confined to some of such Parts or Places, and then to such Parts or Places as therein are specified; and (subject to the Power of Revocation and Alteration herein contained) such Directions and Regulations shall continue in force so long as the said Provisions of this Act shall, under such Order, be applicable to the same Parts or Places; and all such Directions and Regulations shall be published by being inserted in the *Edinburgh Gazette*, which Publication shall be conclusive Evidence thereof, and may be further published, and may be specially communicated to any Local Authority, by the Secretary of the Board, as the Board may direct.

Publication of Rules and Regulations.

Orders of Council, Directions and Regulations of Board, to be laid before Parliament.

34. Every Order of Her Majesty's Privy Council, and Direction and Regulation of the Board under Part III. of this Act, shall be laid before both Houses of Parliament forthwith upon the issuing thereof, if Parliament be then sitting, and if not then within Fourteen Days next after the Commencement of the then next Session of Parliament.

Matters to be provided for by such Regulations.

35. The Board, by such Directions and Regulations, may provide,

For the speedy Interment of the Dead:

For House to House Visitation:

For the dispensing of Medicines, and for affording to Persons afflicted by or threatened with such epidemic, endemic, or contagious Diseases such Medical Aid and such Accommodation as may be required:

For any such Matters or Things as may to them appear advisable for preventing or mitigating such Diseases:

Local Authority shall execute Regulations, and may direct Prosecution for violating the same.

And the Local Authority shall superintend and see to the Execution of such Directions and Regulations, and shall do and provide all such Acts, Matters, and Things as may be advisable for mitigating such Disease, or for superintending or aiding in the Execution of such Directions and Regulations, or for executing the same, as the Case may require, and may direct any Prosecutions or legal Proceedings for or in respect of the wilful Violation or Neglect of any such Directions and Regulations, and such wilful Violation or Neglect shall be deemed to be an Offence under this Act.

Power for Local Authority, &c. to enter Premises.

36. The Local Authority acting in the Execution of such Directions and Regulations, or the Officers or Persons by them in this Behalf authorized, may enter at reasonable Times in the Daytime and inspect any Premises where they have Ground for believing that any Person has recently died of any such Disease,

or

or that Necessity may otherwise exist for executing in relation to the Premises any of such Directions and Regulations.

When Order in Council in force, overcrowded Houses to come under Common Lodging Houses Provisions.

37. When any such Order of Council is in force in any Place, on the Certificate of a Sanitary Inspector, or of a Medical Officer, or of Two duly qualified Medical Practitioners, or other sufficient Evidence, that any House or Part of a House is so overcrowded as to be dangerous to Health, the Local Authority shall have Power to regulate the same according to the Provisions of this Act in reference to Common Lodging Houses.

Order in Council to extend to Ports and Arms of the Sea.

38. All Orders of Council for executing this Act shall extend to Ports and Arms of the Sea lying within the Jurisdiction of the Admiralty, and adjacent to the Places to which such Orders relate; and the Board may issue, under the said Orders, Directions and Regulations for cleansing, purifying, ventilating, and disinfecting, and preventing Disease in Ships and Vessels, as well upon Arms and Ports of the Sea aforesaid as upon inland Waters.

PART IV.

General Prevention and Mitigation of Disease.

Power to provide Hospitals

39. The Local Authority may provide within their District Hospitals or temporary Places for the Reception of the Sick, for the Use of the Inhabitants.

Such Authority may build such Hospitals or Places of Reception, provided the Board approve of the Situation and Construction thereof, or they may make Contracts for the Use of any existing Hospital or Part of an Hospital, or for the temporary Use of any Place for the Reception of the Sick.

Such Authority may enter into any Agreement with any Person or Body of Persons having the Management of any Hospital for the Reception of the sick Inhabitants of their District, on Payment by the Local Authority of such annual or other Sum as may be agreed upon.

Two or more contiguous Local Authorities having respectively the Power to provide separate Hospitals may combine in providing a Common Hospital, provided the Board approve of the Situation and Construction thereof, and all Expenses incurred by such Authorities in providing such Hospital shall be deemed to be Expenses incurred by them respectively in carrying into effect the Purposes of this Act, and if any Question shall arise as to the Allocation of Expenses,

penses, the same shall be determined by the Board, whose Decision shall be final; and such Common Hospital shall be deemed to be for the Purposes of this Act an Hospital within the District of each of the Local Authorities so combining.

Power to provide Means of Disinfection, and Carriages for Conveyance of infected Persons.

40. The Local Authority in each District may provide a proper Place, with all necessary Apparatus and Attendance, for Disinfection of Woollen or other Articles, Clothing, or Bedding which have become infected, and they may cause any Articles brought for Disinfection to be disinfected free of Charge; and it shall be lawful at all Times for the Local Authority to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to pay the Expense of conveying any Person therein or otherwise to a Hospital or Place for the Reception of the Sick or to his own Home; and farther, if the Local Authority shall be of opinion, upon the Certificate of any legally qualified Medical Practitioner, that the cleansing and disinfecting of any House or Part thereof, and of any Articles therein likely to retain Infection, would tend to prevent or check contagious or infectious Disease, it shall be the Duty of the Local Authority to give Notice in Writing, requiring the Occupier or Owner of such House or Part thereof to cleanse and disinfect the same; and if the Person to whom Notice is so given fail to comply therewith within the Time specified in the Notice, he shall be liable to a Penalty not exceeding One Pound for every Day during which he continues to make default; and the Local Authority shall cause such House or Part thereof to be cleansed and disinfected, and may recover the Expenses incurred from the Occupier or Owner; and when such Occupier or Owner is from Poverty or otherwise unable, in the Opinion of the Local Authority, effectually to carry out such cleansing and Disinfection, the Local Authority may, at their own Expense, cleanse and disinfect such House or Part thereof, and any such Articles therein.

Local Authority may erect public Water-closets, &c.

41. The Local Authority may erect such public Waterclosets, Privies, and Urinals, and in such Situations, as they may think fit, and may defray the Expense thereof, and of keeping the same in Repair and in good Order, and shall cause such Privies to be cleansed daily; and the Local Authority may also, by written Notice to the Owner or Occupier of any Schoolhouse or of any Factory or Building in which more than Ten Persons are employed at One Time in any Manufacture, Trade, or Business, require them or either of them, within a Time specified, to construct a sufficient Number of Water-closets or Privies for the separate Use of each Sex; and any Person failing

failing to comply with such Notice shall be liable for each Offence in a Penalty not exceeding Twenty Pounds.

Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.

42. Where a Hospital or Place for the Reception of the Sick is provided or exists within the District of a Local Authority, the Sheriff or any Magistrate or Justice may, on the Application of the Local Authority, with the Consent of the Superintending Body of such Hospital or Place, by Order on a Certificate signed by a legally qualified Medical Practitioner, direct the Removal to such Hospital or Place for the Reception of the Sick, at the Cost of the Local Authority, of any Person suffering from any dangerous, contagious, or infectious Disorder, and being without proper Lodging or Accommodation, or lodged in a Room occupied by others besides those in attendance on such Person, or being on board any Ship or Vessel, or may direct the Removal from the Room occupied by such Person of all others not in attendance on him, the Local Authority providing suitable Accommodation for such other Persons.

Places for the Reception of dead Bodies may be provided at the Public Expense.

43. Any Local Authority may provide a proper Place for the Reception of dead Bodies, and where any such Place has been provided, and any dead Body of One who has died of any infectious Disease is retained in a Room in which Persons live or sleep, or any dead Body which is in such a State as to endanger the Health of the Inmates of the same House or Room is retained in such House or Room, the Sheriff or any Magistrate or Justice may, on a Certificate signed by a legally qualified Medical Practitioner, order by a Writing under his Hand the Body to be removed to such proper Place of Reception at the Cost of the Local Authority, and direct the same to be buried within a Time to be limited in such Order; and unless the Friends or Relations of the Deceased undertake to bury the Body within the Time so limited, and do bury the same, it shall be the Duty of the Local Authority to bury such Body; and it shall also be the Duty of the Local Authority to bury any dead Body found within the District, and which is unclaimed, or which no sufficient Person undertakes to bury; but any Expense so incurred in regard to any such Burial may be recovered by the Local Authority in a summary Manner from any Person legally liable to pay the Expense of such Burial.

Burial of dead Bodies.

In Burghs, &c., the Local Authority may make Regulations as to Lodging Houses, with Consent of the Board.

44. The Local Authority having Jurisdiction under this Act in any Burgh or populous Place containing, according to the Census last taken, a Population of not less than One thousand Inhabitants, may, after Publication of the proposed Regulations in One or more Newspapers circulating in the District for One Month,

Month, make, with Consent of the Board, Regulations for all or any of the following Matters; that is to say,

1. For fixing the Number of Persons who may occupy a House or Part of a House which is let in Lodgings or occupied by Members of more than One Family:
2. For the Registration of Houses thus let or occupied in Lodgings:
3. For the Inspection of such Houses, and the keeping the same in a cleanly and wholesome State:
4. For enforcing therein the Provision of Privy Accommodation, or Watercloset Accommodation, and other Appliances and Means of Cleanliness in proportion to the Number of Lodgings and Occupiers, and the cleansing and Ventilation of the Common Passages and Staircases:
5. For the cleansing and limewhiting at stated Times of such Premises:
6. For the Enforcement of the above Regulations by Penalties not exceeding Forty Shillings for any One Offence, with an additional Penalty not exceeding Twenty Shillings for every Day during which a Default in obeying such Regulations may continue.

Rules as to underground Dwellings.

45. It shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar whatsoever, or any Vault or underground Room (not being entirely open on one or other of its Sides), which Vault or Room shall be less in Height from the Floor to the Ceiling than Seven Feet in the Case of Houses built prior to the passing of this Act, or less in Height than Eight Feet in the Case of Houses built subsequently to the passing hereof, or which shall be less than One Third of its Height above the Level of the Street or Ground adjoining the same, or otherwise shall not have Three Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet Six Inches wide from the Level of the Floor of such Vault or Room up to the Level of the said Street or Ground, or which shall not have appurtenant thereto the Use of a Watercloset or Privy and Ashpit, or which shall not also have a glazed Window made to open to the full Extent of the Half thereof, the Area of which is not less than Nine Superficial Feet clear of the Frame, and a Fireplace with a Chimney or Flue, or which Vault or underground Room being an inner or back Vault or Cellar let or occupied along with a front Vault or Room, as Part of the same Letting or Occupation, has not a ventilating Flue (unless such inner or back Vault or Room shall be Part of a House built before the passing of this Act),

Act), or which shall not be well and effectually drained by means of a Drain, the uppermost Part of which is One Foot at least below the Level of the Floor of such Vault, Cellar, or Room, after the Local Authority have given Notice to the Owners thereof that the letting of such Cellars, Vaults, or underground Rooms as Dwelling Places is prohibited from that Time forth; and it shall be the Duty of the Local Authority to issue such Notices from Time to Time, as soon as is convenient, until such Notice has been given with respect to every Cellar, Vault, or underground Room occupied as a Dwelling House within the District; and it shall not be lawful, after such Notice, to let or continue to let, or to occupy or suffer to be occupied, separately, as a Dwelling House, any such Cellar, Vault, or underground Room.

Penalty on letting underground Dwellings.

46. Every Person who lets separately, or who knowingly suffers to be occupied for Hire as a Dwelling, any Vault, Cellar, or Room contrary to the Provisions of this Act, shall be liable to a Penalty not exceeding Twenty Shillings for every Day during which such Vault, Cellar, or Room is so occupied after Conviction of the First Offence.

Cases in which Two Convictions have occurred within Three Months.

47. Where Two Convictions against the Provisions of this Act relating to the overcrowding of any House, or the Occupation of any Cellar, Vault, or underground Room as a separate Dwelling Place, shall have taken place within the Period of Three Months, whether the Person so convicted were or were not the same, it shall be lawful for the Sheriff or any Magistrate or Justice to direct the closing of such Premises for such Time as he may deem necessary, and, in the Case of Cellars occupied as aforesaid, to empower the Local Authority to permanently close the same in such Manner as they may deem fit.

Penalty on Person suffering from infectious Disorder entering public Conveyance without notifying to Driver that he is so suffering.

48. If any Person suffering from any infectious Disorder shall enter, or any Person in charge of a Person so suffering shall place such Person in, any Steamboat, Sailing Vessel, Railway Carriage, Stage Coach, Hackney Carriage, or other public Conveyance without previously notifying to the Owner or Person in charge thereof that such Person is so suffering, the Person so contravening this Provision shall, on Conviction thereof before any Sheriff, Magistrate, or Justice, be liable to a Penalty not exceeding Five Pounds; and no Owner or Person in charge of any public Conveyance shall be bound to convey any Person so suffering.

Penalty on any Person, with infectious Dis-

49. Any Person suffering from any infectious Disorder who wilfully exposes himself, without proper Precaution against spreading the

order, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.

the said Disorder, in any Street, public Place, or public Conveyance, and any Person in charge of One so suffering who so exposes the Sufferer, and any Owner or Person in charge of a public Conveyance who does not immediately provide for the Disinfection of his Conveyance after it has, with the Knowledge of such Owner or Person in charge, conveyed any such Sufferer, and any Person who, without previous Disinfection, knowingly gives, lends, sells, transmits, or exposes any Bedding, Clothing, Rags, or other Things which have been exposed to Infection from such Disorders, shall, on Conviction of such Offence before the Sheriff or any Magistrate or Justice, be liable to a Penalty not exceeding Five Pounds: Provided that no Proceedings under this Section shall be taken against Persons transmitting with proper Precautions any such Bedding, Clothing, Rags, or other Things for the Purpose of having the same disinfected.

Penalty on Persons letting Houses in which infected Persons have been lodging.

50. If any Person knowingly lets any House, Room, or Part of a House in which any Person suffering from any infectious Disorder has been to any other Person without having such House, Room, or Part of a House, and all Articles therein liable to retain Infection, disinfected to the Satisfaction of a qualified Medical Practitioner, as testified by a Certificate given by him, and lodged with the Sanitary Inspector or other Person appointed to perform the Duties of Sanitary Inspector, such Person shall be liable to a Penalty not exceeding Twenty Pounds. For the Purposes of this Section the Keeper of an Inn or Hotel shall be deemed to let Part of a House to any Person admitted as a Guest into such Inn or Hotel.

Removal of Manure in Mews, &c.

51. Where Notice has been given by the Local Authority or their Officer or Officers for the periodical Removal of Manure or other refuse Matter from Mews, Stables, or other Premises (whether such Notice shall be by public Announcement in the Locality or otherwise), and subsequent to such Notice the Person or Persons to whom the Manure or other refuse Matter belongs shall not so remove the same, or shall permit a further Accumulation, and shall not continue such periodical Removal at such Intervals as the Local Authority or their Officer or Officers shall direct, he or they shall be liable, without further Notice, to a Penalty of not exceeding Twenty Shillings *per* Day for every Day during which such Manure or other refuse Matter shall be permitted to accumulate, such Penalty to be recovered in a summary Manner.

Provision as to Ships within the

52. Any Ship lying in any River, Harbour, or other Water shall be subject to the Local Authority of the District within or *ex adverso*

adverso of which such River, Harbour, or other Water is situate, and to the Sheriff, Magistrates, and Justices of the Peace having Jurisdiction in such District, and shall be within the Provisions of this Act in the same Manner as if such Ship were a House within such District, and the Master or other Officer in charge of such Ship shall be deemed for the Purposes of this Act to be the Occupier of such Ship; but this Section shall not apply to any Ship belonging to Her Majesty or to any Foreign Government.

Jurisdiction of Local Authority.

53. For the Purposes of this Act, any Ship that is in a Place within Three Miles of the Coasts of *Scotland*, and not within the District of a Local Authority, shall be deemed to be within the District of such Local Authority as may be prescribed by the Board, and until a Local Authority has been prescribed then of the Local Authority whose District nearest adjoins the Place where such Ship is lying, the Distance being measured in a straight Line.

Provision as to District of Local Authority extending to Places where Ships are lying.

54. Whenever, in compliance with any Regulation of the Board which they may be empowered to make under this Act, any Medical Officer shall perform any Medical Service on board of any Ship, such Medical Officer shall be entitled to charge extra for any such Service, at the general Rate of his Allowance for his Services for the Parish or Place for which he is appointed, and such Charges shall be payable by the Person in charge of the Ship, on behalf of the Owners, together with any reasonable Expenses for the Treatment of the Sick; and if such Services shall be rendered by any Medical Practitioner who is not a Medical Officer, he shall be entitled to charge for any Service rendered on board, with extra Remuneration on account of Distance, at the same Rates as those which he is in the habit of receiving from private Patients of the Class of those attended and treated on Shipboard, to be paid as aforesaid; and in case such Charges be not paid, the Medical Officer or Practitioner may bring an Action against the Person in charge of such Ship for the same, and the Ship, Cargo, and Tackle thereof shall be subject to a Lien for the Amount of such Charges.

Medical Officer of Parish to be allowed to charge for attending Sick on board any Ship, and to be paid by Captain.

55. Any Local Authority may, with the Sanction of the Board, lay down Rules for the Removal to any Hospital to which such Authority are entitled to remove Patients, and for keeping in such Hospital so long as may be necessary, any Persons brought within their District by any Ship who are infected with an infectious Disorder, and they may by such Rules impose any Penalty not exceeding Five Pounds on any Person committing any Offence against the same.

Power to remove to Hospital sick Persons brought by Ships.

56. Every

Description of Ships within Provisions of 6 G. 4. c. 78., and Power to reduce Penalties imposed thereby.

56. Every Ship having on board any Person affected with a dangerous or infectious Disorder shall be deemed to be within the Provisions of the Act of the Sixth Year of King *George* the Fourth, Chapter Seventy-eight, intituled *An Act to repeal the several Laws relating to Quarantine, and to make other Provisions in lieu thereof*, although such Ship has not commenced the Voyage, or has come from or is bound for some Place in the United Kingdom; and nothing in this Act contained shall interfere with or prevent the Execution of any Orders, Regulations, or Restrictions to be made by the Lords and others of Her Majesty's Privy Council pursuant to the said Act; and any Expenses incurred by any Local Authority in carrying into effect such Orders, Regulations, or Restrictions shall be deemed to be Expenses incurred by them in carrying into effect this Act; and all Penalties imposed by the said Act of the Sixth Year of King *George* the Fourth, Chapter Seventy-eight, may be reduced by the Justices or Court having Jurisdiction in respect of such Penalties to such Sum as the Justices or Court think just.

Power to defray Cost of Vaccination in certain Cases.

57. The Local Authority may defray the Cost of vaccinating such Persons as to them may seem expedient, not being Paupers or the Children of Paupers, or Persons ordered to be vaccinated in Terms of the Eighteenth Section of the Act Twenty-six and Twenty-seven *Victoria*, Chapter One hundred and eight.

Power to provide Grounds for public Recreation.

58. The Local Authority may provide, maintain, lay out, and improve Grounds for public Recreation, and support or contribute towards any Premises provided for such Purposes by any Person whomsoever.

PART V.

Regulation of Common Lodging Houses.

Common Lodging Houses to be registered.

59. The Local Authority shall cause a Register to be kept, in which shall be entered the Names and Residences of the Keepers of all Common Lodging Houses within the District of the Local Authority, and the Situation of every such House, and the Number of Lodgers authorized according to this Act to be kept therein, and in each Apartment thereof; and the Local Authority may refuse to register as the Keeper of a Common Lodging House any Person who does not produce to the Local Authority a Certificate of Character,

Character, in such Form as the Local Authority shall direct, signed by Three Inhabitant Householders of the Parish respectively assessed for the Relief of the Poor of the Parish within which such Lodging House is situate; and the Local Authority may, from Time to Time, on the Approval of the Board, raise or diminish the Sum payable *per* Night, according to which, as herein-before mentioned, it is ascertained whether a House or Part thereof is a Common Lodging House, but so as not to exceed Sixpence *per* Night.

No Lodger to be received in Common Lodging House till it has been inspected and registered.

60. From and after the Date when this Act shall come into operation, it shall not be lawful to keep or use as a Common Lodging House any House, not being a Licensed Victualling House, or to receive or retain any Lodgers therein, unless such House shall have been inspected and approved for that Purpose by the Inspector of Common Lodging Houses for the District, and shall have been registered as by this Act provided; and if any Person shall contravene this Enactment he shall be guilty of an Offence under this Act.

Evidence of Register.

61. A Copy of an Entry made in a Register kept under this Act, purporting to be certified by the Person having the Charge of such Register to be a true Copy, shall be received in all Courts and on all Occasions whatsoever as Evidence, and shall be *primâ facie* Proof of all Things therein registered, without the Production of the Register, or of any Document, Act, or Thing on which the Entry is founded, or Proof of the Signature; and every Person applying at a reasonable Time shall be furnished by the Person having such Charge with a certified Copy of any such Entry for Payment of Twopence.

Power to Local Authority to make Rules and Regulations respecting Common Lodging Houses, to take effect when confirmed by the Board.

62. The Local Authority may from Time to Time make Rules and Regulations respecting Common Lodging Houses within its Jurisdiction for the well ordering of such Houses, and for the Separation of the Sexes therein, and for fixing the Number of Lodgers which may be received in each such House, and in each Room therein, and for promoting the Cleanliness and Ventilation of such Houses, and with respect to the Inspection thereof, and the Conditions and Restrictions under which such Inspection may be made; and the said Local Authority may, by any such Rules and Regulations, impose upon Offenders against the same such reasonable Penalties as they shall think fit, not exceeding the Sum of Five Pounds for each Offence, and in the Case of a continuing Offence a further Penalty not exceeding the Sum of Forty Shillings for each Day after written Notice of the Offence from the said Local Authority; and

and the said Local Authority may alter or repeal any such Rules and Regulations: Provided always, that all such Rules and Regulations imposing any Penalty shall be so framed as to allow of the Recovery of any Sum less than the full Amount of the Penalty: Provided also, that such Rules and Regulations shall not be of any Force or Effect until the same be submitted to and confirmed by the Board, who are hereby empowered to confirm or disallow the same as they may think proper: Provided further, that no such Rules and Regulations shall be confirmed unless Notice of the Intention to apply for Confirmation of the same shall have been given in One or more of the public Newspapers usually circulated within the Parish or Place to which such Byelaws relate One Month at least before the making of such Application; and for One Month at least before any such Application a Copy of the proposed Rules and Regulations, in Writing, signed by the Chairman of the Meeting at which they were made, shall be kept at the Office or usual Place of Meeting of the Local Authority, and be open during Business Hours thereat for the Inspection of Parties assessed to the Relief of the Poor in such Parish or Place, without Fee, and the Local Authority shall cause every such Party assessed as aforesaid who shall apply for the same to be furnished with a Copy thereof, on Payment of Sixpence for every One hundred Words contained in such Copy.

Such Rules and Regulations, when confirmed, to be printed, and furnished gratis to Keepers of Common Lodging Houses.

63. All such Rules and Regulations made by the Local Authority in pursuance of this Act shall, when confirmed as aforesaid, be printed, and hung up in the Office or usual Place of Meeting of the said Local Authority, and Copies thereof shall be furnished gratis to every Keeper of a Common Lodging House, and such Keeper shall be bound to keep a Copy thereof hung up in some conspicuous Place in each Room in which Lodgers are received, and Copies shall also be furnished to any Party assessed as aforesaid, upon Application, and Payment of One Penny each for the same; and a Copy of such Rules and Regulations, purporting to be signed by the Secretary of the Board, shall be received in Evidence of such Regulations, and of the duly making and confirming thereof, without Proof of the Signature.

Power to Local Authority to require an additional Supply of Water to Common Lodging Houses.

64. Where it appears to the Local Authority that a Common Lodging House is without a proper Supply of Water for the Use of the Lodgers, and that such a Supply can be furnished thereto at a reasonable Rate, the Local Authority may, by Notice in Writing, require the Owner or Keeper of the Common Lodging House, within a Time specified therein, to obtain such Supply, and to execute all Works necessary for that Purpose; and if such Notice be not complied

plied with accordingly, the Local Authority may remove the Common Lodging House from the Register until it be complied with.

Power to Local Authority to order Reports from Keepers of Common Lodging Houses.

65. The Keeper of a Common Lodging House shall from Time to Time, if required by any Order of the Local Authority served on such Keeper, report to the Local Authority, or to such Person or Persons as the said Local Authority shall direct, every Person who resorted to such House during the preceding Day or Night, and for that Purpose Schedules shall be furnished by the Local Authority to the Persons so ordered to report, which Schedules they shall fill up with the Information required, and transmit to the Local Authority.

Local Authority may remove sick Persons from Common Lodging Houses to Hospitals, &c.

66. When a Person in a Common Lodging House is ill of Fever or any infectious or contagious Disease, the Local Authority may cause such Person to be removed to a Hospital or Infirmary, with the Consent of the Authorities thereof, where different from the Local Authority, and on the Certificate of the Medical Officer of the Parish, or of any qualified Medical Practitioner, that the Disease is infectious or contagious, and that the Patient may be safely removed; and the Local Authority may, so far as they think requisite for preventing the Spread of Disease, cause any Clothes or Bedding used by such Person to be disinfected or destroyed, and may pay to the Owners of the Clothes and Bedding so disinfected or destroyed reasonable Compensation for the Injury or Destruction thereof, the Amount of such Compensation being first certified in Writing upon a List of such Articles.

As to giving Notice of Fever, &c. occurring in Common Lodging Houses.

67. The Keeper of a Common Lodging House shall, when a Person in such House is ill of Fever or any infectious or contagious Disease, give immediate Notice thereof either to the Medical Officer or to the Inspector of Common Lodging Houses, or the Inspector of the Poor of the Parish in which such Common Lodging House is situated, who shall forthwith inform the Local Authority and the Medical Officer that such Notice has been received, and thereupon the Medical Officer shall forthwith visit and report on the Case.

As to Inspection of Common Lodging Houses.

68. The Keeper of a Common Lodging House shall, at all Times when required by any Officer of the Local Authority, give him free Access to such House and every Part thereof.

As to cleansing of Common Lodging Houses.

69. The Keeper of a Common Lodging House shall thoroughly cleanse all the Rooms, Passages, Stairs, Floors, Windows, Doors, Wall, Ceilings, Privies, Ashpits, Cesspools, and Drains thereof, to the Satisfaction of the Inspector, and so often as shall be required

by or in accordance with any Regulation of the Local Authority, and shall well and sufficiently, and to the like Satisfaction, lime-wash the Walls and Ceilings thereof in the First Week of each of the Months of *April* and *October* in every Year, and at such other Times as the Local Authority may by Special Order appoint or direct.

Conviction for Third Offence, &c. to disqualify Persons from keeping Common Lodging Houses.

70. Where a Keeper of a Common Lodging House is convicted of a Third or any subsequent Offence under this Act, it may be adjudged as the Punishment or Part of the Punishment for such Offence that he shall not, at any Time within Five Years, or any shorter Period after such Conviction, keep or have or act in the Care or Management of a Common Lodging House, without the previous Licence in Writing of the Local Authority, which Licence the Local Authority may withhold, or may grant on such Terms and Conditions as they think fit.

PART VI.

Sewers, Drains, and Water Supply.

Sewers to be vested in Local Authority.

71. All Sewers presently existing within a District, and not being private Property, or not being and continuing under the Management of Persons appointed by the Crown or by Act of Parliament, shall be vested in the Local Authority: Provided always, that nothing in this Act contained shall affect the Rights of any Person or Persons to the Property or Management of any Sewers in virtue of any existing Local or General Police Statute.

Power to purchase Sewers.

72. The Local Authority may, in Terms of the Lands Clauses Acts, acquire the Rights and Powers vested in any Person to make Sewers, or to use any Sewer, with or without the Buildings and other Things thereto pertaining; provided that they shall make Compensation for the Rights so acquired, and shall also make Compensation to the Proprietors and Occupiers of any Lands and Heritages which may be damaged by reason of the Exercise of the Powers hereby conferred, in Terms of the said last-mentioned Acts.

Power to make Sewers.

73. The Local Authority shall have Power to construct within their District, and, also when necessary for the Purpose of Outfall or Distribution of Sewage, without their District, such Sewers as they may think necessary for keeping their District properly cleansed

cleansed and drained, and may carry such Sewers through, across, or under any Turnpike or other Road, or any Street or Place, or under any Cellar or Vault which may be under the Foot Pavement or Carriageway of any Street or Road, and after reasonable Notice in Writing (if upon the Report of Surveyor it should appear to be necessary), into, through, or under any Lands whatsoever, and from Time to Time to enlarge, lessen, alter, arch over or otherwise improve, or to close up or destroy all Sewers vested in them, provided no Nuisance is created by such Operations; and if any Person is thereby deprived of the lawful Use of any Sewer, the Local Authority shall provide another sufficiently effectual for his Use. The Local Authority shall cause their Sewers to be so constructed, kept, and cleansed as not to be a Nuisance, and for the Purpose of cleansing and emptying them may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, or other Works as may be necessary, and may cause such Sewers to communicate with and be emptied into such Places as may be fit and necessary either within their District, or, if necessary for the Purpose of Outfall or Distribution of Sewage, without their District, and to cause the Sewage and Refuse therefrom to be collected for Sale or for any Purpose whatsoever, but so as not to create a Nuisance.

Sewers to be cleansed.

74. The Local Authority may from Time to Time, for the Purpose of utilizing Sewage, agree with any Person as to the Supply of such Sewage or the Distribution thereof over Land, and as to the Works to be made for the Purpose of such Supply or Distribution, and as to the Parties to execute the same and to bear the Costs thereof, and as to the Sums of Money, if any, to be paid for that Supply; provided that no Contract shall be made for the Supply of Sewage for a Period exceeding Five Years, unless with the Authority of the Board, and not for any Period exceeding Twenty-five Years; and the Local Authority may contract for, purchase, or take on Lease any Lands, Buildings, Engines, Materials, or Apparatus for the Purpose of receiving, storing, disinfecting, or distributing Sewage.

Powers of utilizing Sewage.

75. In case it shall become necessary to enter, examine, or lay open any Lands or Premises for the Purpose of making Plans, surveying, measuring, taking Levels, examining Works, ascertaining the Course of Sewers or Drains, making or repairing, altering or enlarging Sewers or Drains, or other Purposes ancillary to the Powers herein given as to Sewers and Drains, and the Owner or Occupier of Premises refuses or withholds Access and Leave to perform the said Operations, the Local Authority may apply to the Sheriff, who, if no sufficient Cause be shown to the contrary, shall grant Warrant to the Local Authority, their Officers and others thereby authorized,

Power of Entry.

authorized, to enter and do all or any of the Works or Operations foresaid.

Formation of Special Drainage District.

76. Upon Requisition to that Effect made in Writing by not fewer than Ten Inhabitants of the District, the Local Authority shall be bound to meet, after Twenty-one clear Days Notice, and shall consider the Propriety of forming Part of their District into a Special Drainage District, and the Resolution of the Local Authority at such Meeting shall be published in One or more Newspapers circulating in the District; and the Production of such Newspaper, or a Certificate under the Hand of the Chairman or acting Clerk of the Local Authority (whose Signature need not be proved), shall be sufficient Evidence of such Resolution; and within Ten Days after the Date of such Resolution it shall be competent for any Person interested to appeal against the Resolution to the Sheriff, and the Sheriff, not being a Sheriff Substitute resident within the District, may either approve or disapprove of such Resolution, and if he disapproves thereof he may either find that no Special Drainage District should be formed, or may enlarge or limit the Special District as defined by the Resolution of the Local Authority, or may find that a Special Drainage District should be formed and may define the Limits thereof; and the Decision of the Sheriff shall be binding upon the Local Authority, and shall be final, except where it is pronounced by a Sheriff Substitute, in which Case it may be appealed to the Sheriff.

Power to drain into Sewers of Local Authority.

77. Any Owner or Occupier of Premises within the District of a Local Authority liable for General or Special Sewerage or Drainage Assessment shall be entitled to cause his Drains to empty into the Sewers of such Local Authority, on condition of his giving Twenty Days previous Notice of his Intention so to do to the Local Authority, and of complying with their Regulations in respect of the Mode in which the Communications between such Drains and Sewers are to be made, and subject to the Control of any Person who may be appointed by the Local Authority to superintend the making of such Communications.

Use of Sewers by Persons beyond District.

78. Any Owner or Occupier of Premises beyond the Limits of the District of a Local Authority or within said Limits who is not liable for General or Special Sewerage or Drainage Assessment may cause any Sewer or Drain from such Premises to communicate with any Sewer of the Local Authority, upon such Terms and Conditions as may be agreed upon between such Owner or Occupier and such Local Authority, or, in case of Dispute, shall be settled by the Sheriff.

79. Every

Penalty for making unauthorized Drains.

79. Every Person not being authorized by the Local Authority who shall make any Drain into any Sewer vested in the Local Authority shall be liable in a Penalty not exceeding Five Pounds besides shutting up said Drain or paying the Expense of shutting it up.

Estimates for Work.

80. Before entering into any Contract for executing any such Work as herein-before or after mentioned, falling under Part VI. of this Act, or connected with Sewage or Drainage, if the Expense thereof may exceed Thirty Pounds, the Local Authority shall procure from a Surveyor an Estimate of the probable Expense of constructing the same in a substantial Manner, and of the yearly Expense of maintaining the same in repair; and such Surveyor shall accompany such Estimate with a Report as to the most advantageous Mode of constructing such Work, whether under a Contract for constructing the same merely, or a Contract for constructing the same and maintaining it in repair during a given Term of Years.

Not to build over Sewers.

81. Unless with Consent of the Local Authority, no Building shall be erected over any Sewer belonging to the Local Authority, and no Vault, Arch, or Cellar shall be made so as to interfere with any such Sewer.

Sewers to be trapped.

82. All Sewers and Drains, whether public or private, shall be provided by the Persons to whom they severally belong, with proper Traps or other Coverings or Means of Ventilation, so as to prevent Stench or deleterious Exhalation.

Distilleries, &c. to deposit Refuse.

83. The Owners or Occupiers of Distilleries, Manufactories, and other Works shall be compelled, where possible, to dig, make, and construct Pools or Reservoirs within their own Ground, or as near their Works as possible, for receiving and depositing the Refuse of such Works, so far as offensive or injurious to the Health of those living in the Vicinity thereof, or to use the best practical Means for rendering the same inoffensive or innoxious before discharging it into any River, Stream, Ditch, Sewer, or other Channel.

Drain discharging below High-water Mark.

84. If the Local Authority shall consider it necessary for Public Health that any Drain should discharge itself below High-water Mark, they shall be entitled, with the Consent of the Board of Trade, (without Prejudice to any Question as to the Right to the Foreshores,) to construct the requisite Works for that Purpose.

As to the Drainage of Houses.

85. If a Dwelling House, Distillery, Manufactory, or other Work, or any Erection, or Enclosure for the keeping of Live Stock within the District of a Local Authority is without a Drain, or without such Drain as is sufficient for effectual Drainage, the

Local Authority may, by Notice, require the Owner of such House, Distillery, Manufactory, Work, Erection, or Enclosure, within a reasonable Time therein specified, to make a sufficient Drain emptying into any Sewer which the Local Authority are entitled to use, and with which the Owner is entitled to make a Communication, so that such Sewer be not more than One hundred Feet from the Site of the said Premises of such Owner; but if no such Means of Drainage are within that Distance, then emptying into such covered Cesspool or other Place, not being under any House, as the Local Authority may direct; and if the Person on whom such Notice is served fails to comply with the same, the Local Authority may, at the Expiration of the Time specified in the Notice, do the Work required, and the Expenses incurred by them in so doing may be recovered from such Owner in a summary Manner.

Power of borrowing for Sewers.

86. It shall be lawful for the Local Authority to borrow for the Purpose of making, enlarging, or constructing Sewers, and on the Security of the after-mentioned Special Sewer Assessments, where such exist, and General Assessments, or either of them, such Sums of Money, and at such Times, as the Local Authority shall deem necessary for that Purpose, and to assign the said Special Sewer Assessments and General Assessments or any of them in Security of the Money to be so borrowed; and the Bonds to be granted on such borrowing and Transferences or Assignations and Discharges thereof may be in or near to the Forms contained in the Schedule hereto annexed, and such Bonds shall be signed by the Chairman and Two Members of the Local Authority, and shall constitute a Lien over the Special Sewer Assessments and General Assessments thereby assigned, and shall entitle the Creditors therein to recover the Sums thereby due from the Local Authority out of the first and readiest of the said Special and General Assessments; but no Member or Officer of the Local Authority shall be personally liable for the Repayment of such Money so borrowed, and all such Obligations shall be deemed and taken to be granted on the sole Security of the Assessments assigned; and the Money so borrowed shall be repayable either in One Sum or by Instalments as may be arranged between the Local Authority and the Lender, but so that the same shall be wholly repaid, together with the accruing Interest, within Thirty Years from the Date of the Loan, but the Amount of such Loans, including Interest, shall form a Charge against the Assessments of the Years intervening between the Date of such Loans and the Date of full Repayment in equal Proportions; and the Money so borrowed as aforesaid shall be applied wholly in defraying the Expense of making, enlarging, and re-constructing Sewers, and to no other Purpose whatsoever.

87. Two

Local Authorities may combine.

87. Two or more Local Authorities may, with the Sanction of the Board, combine together for the Purpose of executing and maintaining any Works by this Act authorized in regard to Sewerage or Drainage that may be for the Benefit of their respective Districts; and all Monies which they may agree to contribute for the Execution and Maintenance of such common Works shall, in the Case of each Local Authority, be deemed to be Expenses incurred by them in the Execution of Works within their District.

Supply of Water for Burghs above 10,000.

88. With respect to Burghs having a Population of Ten thousand or upwards according to the Census last taken, or having a Local Act for Police Purposes, it shall be lawful for the Local Authority, if they think it expedient so to do, to contract or arrange with any Water Company established by Act of Parliament for a Supply of Water, or, where there is no such Company, themselves to provide a Supply of Water, to such Extent as may be necessary for the sanitary and other public Purposes of this Act herein-before provided.

Supply of Water for Burghs under 10,000.

89. With respect to the Improvement of Burghs having a Population of less than Ten thousand, according to the Census last taken, and not having a Local Act for Police Purposes, and with respect to Parishes (exclusive of any Parts of such Parishes as are situated within the District of any Local Authority other than the Parochial Boards of such Parishes),—

(1.) The Local Authority, if they think it expedient so to do, may acquire and provide or arrange for a Supply of Water for the domestic Use of the Inhabitants, and for that Purpose may conduct Water from any Lake, River, or Stream, may dig Wells, make and maintain Reservoirs, may purchase, take upon Lease, hire, construct, lay down, and maintain such Waterworks, Pipes, and Premises, and do and execute all such Works, Matters, and Things as shall be necessary and proper for the aforesaid Purpose, and may themselves furnish a Supply of Water, or contract or arrange with any other Person to furnish the same; and for the Purposes aforesaid the Local Authority shall be held to have all the Powers and Rights given to Promoters of Undertakings by the Lands Clauses Acts: Provided always, that they shall make reasonable Compensation for the Water so taken by them, and for the Damage which may be done to any Lands by reason of the Exercise of the Powers hereby conferred in Terms of the said Acts; and further, that for the Purposes of this Act the Words "Lands" and "Land" in the said Acts and in this Act shall

shall include "Water" and the Right thereto: Provided also, that it shall not be lawful for the Local Authority to provide or supply Water in any Burgh, Parish, or District which any Company, established by Act of Parliament, is authorized to supply with Water, unless the Local Authority shall previously have purchased or acquired the Undertaking of such Company:

House without Supply of Water.

(2.) If any House within the District is without a proper Supply of Water at or near the same, the Local Authority shall compel the Owner to obtain such Supply, and to do all such Works as may be necessary for that Purpose:

Water for Baths, &c.

(3.) The Local Authority, if they have any surplus Water after fully supplying what is required for domestic Purposes, may supply Water from such Surplus to any public Baths and Wash-houses, or for trading or manufacturing Purposes, on such Terms and Conditions as may be agreed on between the Local Authority and the Persons desirous of being so supplied: Provided, that when Water is thus supplied from such Surplus, it shall not be lawful for the Local Authority to charge the Parties obtaining the same both with the Special Water Assessment and also for the Supply of Water obtained by them; but the Local Authority may either charge the Special Water Assessment leviable on such Premises, or charge for the Supply of Water furnished to the same, as they shall think fit:

Cisterns, &c. to be supplied with Water.

(4.) The Local Authority may cause all existing public Cisterns, Pumps, Wells, Reservoirs, Conduits, Aqueducts, and Works used for the gratuitous Supply of Water to the Inhabitants to be continued, maintained, and plentifully supplied with Water, and may, if they shall think fit, provide and gratuitously supply Water for any public Baths or Wash-houses established otherwise than for private Profit or supported out of any Burgh Rates:

Special Water Supply District.

(5.) Upon Requisition to that Effect made in Writing by not fewer than Ten Inhabitants of the District, the Local Authority shall be bound to meet, after Twenty-one clear Days Notice, and shall consider the Propriety of forming Part of their District into a Special Water Supply District, and the Resolution of the Local Authority at such Meeting shall be published in One or more Newspapers circulating in the District; and the Production of such Newspaper, or a Certificate under the Hand of the Chairman or acting Clerk of the Local Authority (whose Signature need not be proved), shall be sufficient Evidence of such Resolution; and within Ten Days after the Date of such Resolution it shall be competent for any Person interested to appeal against

against the same to the Sheriff; and the Sheriff, not being a Sheriff Substitute resident within the District, may either approve or disapprove of such Resolution; and if he disapproves thereof he may either find that no Special Water Supply District should be formed, or may enlarge or limit the Special District as defined by the Resolution of the Local Authority, or may find that a Special Water Supply District should be formed, and may define the Limits thereof; and the Decision of the Sheriff shall be binding upon the Local Authority, and shall be final, except where it is pronounced by a Sheriff Substitute, in which Case it may be appealed to the Sheriff:

Power to borrow for Water Supply.

(6.) It shall be lawful for the Local Authority to borrow for the Purpose of constructing, purchasing, enlarging, or reconstructing such Works as are herein authorized for providing a Supply of Water for the Use of the Inhabitants of the District, or for the Purpose of entering into and implementing any Contract or Arrangement with any Person for such Supply, and on the Security of the after-mentioned Special Water Assessments, where such exist, and of General Assessments, or either of them, such Sums of Money and at such Times as the Local Authority shall deem necessary for that Purpose, and to assign the said Special Water Assessments and General Assessments, or either of them, in Security of the Money to be so borrowed; and the Bonds to be granted on such borrowing and Transferences or Assignations and Discharges thereof may be in or near to the Forms contained in the Schedule hereto annexed; and such Bonds shall constitute a Lien over the Assessments thereby assigned, and shall entitle the Creditors therein to recover the Sums thereby due from the Local Authority out of the first and readiest of the said Assessments; but no Member or Officer of the Local Authority shall be personally liable for the Repayment of such Money so borrowed, and all such Obligations shall be deemed and taken to be granted on the sole Security of the Assessments thereby assigned, and the Money so borrowed shall be repayable either in One Sum or by Instalments as may be arranged between the Local Authority and the Lender, but so that the same shall be wholly repaid, together with the accruing Interest, within Thirty Years from the Date of the Loan; but the Amount of such Loans, including Interest, shall form a Charge against the Assessments of the Years intervening between the Date of such Loans and the Date of full Repayment

in equal Proportions; and the Money so borrowed as aforesaid shall be applied wholly in defraying the Expense of purchasing, making, enlarging, and re-constructing such Works, and to no other Purpose whatsoever.

Regulations as to the Purchase of Land, &c.

90. The following Regulations shall be observed with respect to the Purchase and taking of Land otherwise than by Agreement by Local Authorities for the Purposes of this Act:

(1.) The Local Authority before putting in force any of the Powers of the said Lands Clauses Acts with respect to the Purchase and taking of Land shall

Publication of Notices.

Publish once at the least, in each of Three consecutive Weeks in the Month of *November* in some Newspaper circulated in the District or some Part of the District within which such Local Authority has Jurisdiction is situate, an Advertisement describing shortly the Purpose for which the Land is proposed to be taken, naming a Place where a Plan of the proposed Works may be seen at all reasonable Hours, and stating the Quantity of Land that they require; and shall further in the Month of *December*

Service of Notices.

Serve a Notice in manner herein-after mentioned on every Owner or reputed Owner, Lessee or reputed Lessee, and Occupier of such Land, defining in each Case the particular Land intended to be taken, and requiring an Answer, stating whether the Person so served assents, dissents, or is neuter in respect of taking such Land; such Notice to be served

By Delivery of the same personally to the Party on whom it is required to be served, or, if such Party is absent abroad, to his Agent; or

By leaving the same at the usual or last known Place of Abode of such Party as aforesaid; or

By forwarding the same by Post in a Registered Letter addressed to the usual or last known Place of Abode of such Party:

Power to Local Board to petition Secretary of State upon Matters herein stated.

(2.) Upon compliance with the Provisions herein-before contained with respect to Advertisements and Notices, the Local Authority may, if they shall think fit, present a Petition to One of Her Majesty's Principal Secretaries of State; the Petition shall state the Land intended to be taken, and the Purposes for which it is required, and the Names of the Owners, Lessees, and Occupiers of Land who have assented, dissented, or are neuter in respect of the taking such Land, or who have returned no Answer to the Notice;

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it shall pray that the Local Authority may, with reference to such Land, be allowed to put in force the Powers of the said Lands Clauses Acts with respect to the Purchase and taking of Land otherwise than by Agreement, and such Prayer shall be supported by such Evidence as the Secretary of State requires:

Secretary of State may direct Inquiry;

(3.) Upon the Receipt of such Petition, and upon due Proof of the proper Advertisements having been published and Notices served, the Secretary of State shall take such Petition into consideration, and may either dismiss the same or direct an Inquiry in the District in which the Land is situate, or otherwise inquire as to the Propriety of assenting to the Prayer of such Petition; but until such Inquiry has been made in the District, after such Notice as may be directed by the Secretary of State, no Provisional Order shall be made affecting any Land without the Consent of the Owners, Lessees, and Occupiers thereof:

and may make Provisional Order.

(4.) After the Completion of the Inquiry as last aforesaid, the Secretary of State may, by Provisional Order, empower the Local Authority to put in force, with reference to the Land referred to in such Order, the Powers of the said Lands Clauses Acts with respect to the Purchase and taking of Land otherwise than by Agreement, or any of them, and either absolutely or with such Conditions and Modifications as he may think fit, and it shall be the Duty of the Local Authority to serve a Copy of any Order so made in the Manner and upon the Person in which and upon whom Notices in respect of such Land are hereinbefore required to be served:

No Provisional Order valid until confirmed by Parliament.

(5.) No Provisional Order so made shall be of any Validity unless the same has been confirmed by Act of Parliament, and it shall be lawful for the Secretary of State, as soon as conveniently may be, to obtain such Confirmation, and the Act confirming such Order shall be deemed to be a Public General Act of Parliament:

Costs how to be defrayed.

(6.) All Costs, Charges, and Expenses incurred by the said Secretary of State in relation to any such Provisional Order as last aforesaid shall, to such Amount as the Commissioners of Her Majesty's Treasury think proper to direct, become a Charge upon the Assessment or Special Water Supply Assessment levied in the District or Special Water Supply District, as the Case may be, to which such Order relates, and

and be repaid to the said Commissioners of Her Majesty's Treasury by annual Instalments not exceeding Five, together with Interest after the yearly Rate of Five Pounds in the Hundred, to be computed from the Date of any such last-mentioned Order, upon so much of the Principal Sum due in respect of the said Costs, Charges, and Expenses as may from Time to Time remain unpaid.

Loans from Public Works Loan Commissioners.

91. The Public Works Loan Commissioners as defined by "The Public Works Loan Act, 1853," may advance to the Commissioners mentioned in the One hundred and ninety-sixth Section of "The Police and Improvement (*Scotland*) Act, 1862," for the Purposes mentioned in that Section, and upon the Security therein mentioned, and to any Local Authority for the Purposes mentioned in Part VI. of this Act, such Sums of Money as may be recommended by One of Her Majesty's Principal Secretaries of State.

Execution and Maintenance of Works as to Water Supply.

92. Two or more Local Authorities may combine together for the Purpose of executing and maintaining any Works by this Act authorized in regard to Water Supply that may be for the Benefit of their respective Districts; and all Monies which they may agree to contribute for the Execution and Maintenance of such Common Works shall, in the Case of each Local Authority, be deemed to be Expenses incurred by them in the Execution of Works within their District.

PART VII.

Assessments.

Special Drainage Assessment.

93. Where any Special Drainage District has been formed as herein-before provided, the Expense of the Sewerage and Drainage incurred by the Local Authority within the same, or for the Purposes thereof, and the Sums necessary for Payment as before mentioned of any Money borrowed for Sewerage Purposes as herein-before provided, shall be paid out of a Special Assessment which the Local Authority shall raise and levy on and within such Special District, in the same Manner and with the same Remedies and Modes of Recovery as are herein provided for the District of the Local Authority.

94. With

Assessments in Burghs under 10,000

94. With respect to Burghs having a Population of less than Ten thousand according to the Census last taken, and not having a Local Act for Police Purposes, and with respect to Parishes (exclusive of any Parts of such Parishes as are situated within the District of any Local Authority other than the Parochial Boards of such Parishes),—

Special Water Supply Assessment.

(1.) Where any Special Water Supply District has been formed as herein-before provided, the Expense incurred for Water Supply within the same, or for the Purposes thereof, and the Sums necessary for Payment as before mentioned of any Money borrowed for Water Supply Purposes as herein-before provided, shall be paid out of a Special Assessment which the Local Authority shall raise and levy on or within such Special District, in the same Manner and with the same Remedies and Modes of Recovery as are herein provided for the District of the Local Authority:

Assessment for general Expenses incurred in executing this Act.

(2.) All Charges and Expenses incurred by the Local Authority in executing this Act or any of the Acts hereby repealed, and not recovered as herein-before or after provided, may be defrayed out of an Assessment to be levied by the Local Authority along with but as a separate Assessment from any one of the Assessments herein-after mentioned in this Section; that is to say, the said Assessment shall be assessed, levied, and recovered in like Manner and under like Powers (which Powers are hereby given and are declared to extend over the whole and every Part of the District of the Local Authority) as—

The Prison Assessment or Police Assessment, as the Local Authority shall resolve, where the Local Authority is a Town Council or Police Commissioners, or Trustees acting as Police Commissioners; or, if there be no Prison or Police Assessment, an Assessment levied in like Manner as is herein-after authorized, where the Local Authority is a Parochial Board:

The Assessment for the Relief of the Poor, where the Local Authority is a Parochial Board, or, where there is no such Assessment, by an Assessment levied in such Manner as an Assessment might have been levied for the Relief of the Poor:

Provided always, that where the Local Authority is a Town Council or Police Commissioners, or Trustees acting as Police Commissioners, or where a Parochial Board is the Local Authority in a District, including, as well as the Landward Part of a Parish, a Burgh or Town having a

Town Council or Police Commissioners, or Trustees acting as Police Commissioners, the annual Value of the following Lands or Premises shall for the whole Assessments under this Act be held to be the nearest aggregate Sum of Pounds Sterling to One Fourth of the annual Value thereof entered in the Valuation Roll, made up and completed in Terms of the Acts in force for the Valuation of Lands and Heritages in *Scotland; viz.*,

1. All Lands and Premises used exclusively as a Canal or Basin of a Canal, or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, excepting the Stations, Depôts, Wharfs, and Buildings, which shall be assessable on their full annual Value :

2. All the underground Water or Gas Pipes or underground Works of any Water or Gas Company :

3. All Woodland, Arable, Meadow, or Pasture Land, or other Land used for agricultural Purposes :

4. All Mines, Minerals, and Quarries :

And in the event of any Dispute arising as to the Lands and Premises falling under the above Exceptions, it shall be lawful to the Owner or Occupier of such Lands and Premises to present a Petition to the Sheriff, praying to have the same declared for the Time being liable to Assessment upon the said Proportion of their Value only, and the Sheriff shall thereupon order the Petition to be served on the Local Authority upon a short Induciæ, and, after hearing Parties and taking such Evidence as he shall think necessary, shall pronounce such Judgment as to him shall seem just and right, and which Judgment shall be final, except that where pronounced by a Sheriff Substitute it shall be subject to Appeal to the Sheriff : Provided also, that where a Special Drainage District has been formed as herein-before provided, and the Drainage Works therein have been executed and are maintained under the Authority of this Act, the Lands and Premises situated within such Special District shall not be liable to Assessment for the Expense of making Sewers and Drainage Works in other Parts of the District of the Local Authority; and where a Special Water Supply District has been formed as herein-before provided, and a sufficient Supply of Water has been obtained and is maintained therein under the Authority of this Act, the Lands and Premises situated within

within such Special Water Supply District shall not be liable to Assessment for the Expense of supplying Water for other Parts of the District of the Local Authority:

(3.) The Assessments specified in this and the preceding Section shall not in any Year exceed the Rate of One Shilling and Threepence in the Pound where the Enactments with respect to Water for the domestic Use of the Inhabitants have been put in force, or the Rate of Threepence in the Pound where such Enactments have not been put in force.

Assessments in Burghs above 10,000, &c.

95. With respect to Burghs having a Population of Ten thousand or upwards, according to the Census last taken, or having a Local Act for Police Purposes,—

(1.) All Charges and Expenses incurred by the Local Authority in executing this Act or any of the Acts hereby repealed, and not recovered as herein-before provided, may be defrayed out of an Assessment to be levied by the Local Authority along with but as a separate Assessment from any other Assessment which they may be entitled to levy; that is to say, the said Assessment shall be assessed, levied, and recovered in like Manner and under the like Powers (which Powers are hereby given and are declared to extend over the whole and every Part of the District of the Local Authority) as—

The Prison Assessment or Police Assessment, as the Local Authority shall resolve, where the Local Authority is a Town Council or Police Commissioners, or Trustees acting as Police Commissioners; or, if there be no Prison or Police Assessment, an Assessment levied in like Manner as is herein-after authorized where the Local Authority is a Parochial Board:

The Assessment for the Relief of the Poor where the Local Authority is a Parochial Board, or, where there is no such Assessment, by an Assessment levied in such Manner as an Assessment might have been levied for the Relief of the Poor:

Provided always, that the annual Value of the following Lands or Premises shall for the whole Assessments under this Act be held to be the nearest aggregate Sum of Pounds Sterling to One Fourth of the annual Value thereof entered in the Valuation Roll, made up and completed in Terms of the Acts in force for the Valuation of Lands and Heritages in *Scotland; viz.*,

1. All

1. All Lands and Premises used exclusively as a Canal or Basin of a Canal, or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, excepting the Stations, Depôts, Wharfs, and Buildings, which shall be assessable on their full annual Value:
2. All the underground Water or Gas Pipes or underground Works of any Water or Gas Company:
3. All Woodland, Arable, Meadow, or Pasture Land, or other Land used for agricultural Purposes:
4. All Mines, Minerals, and Quarries:

And in the event of any Dispute arising as to the Lands and Premises falling under the above Exceptions, it shall be lawful to the Owner or Occupier of such Lands and Premises to present a Petition to the Sheriff, praying to have the same declared for the Time being liable to Assessment upon the said Proportion of their Value only, and the Sheriff shall thereupon order the Petition to be served on the Local Authority upon a short Induciæ, and, after hearing Parties and taking such Evidence as he shall think necessary, shall pronounce such Judgment as to him shall seem just and right, and which Judgment shall be final, except that where pronounced by a Sheriff Substitute it shall be subject to Appeal to the Sheriff: Provided also, that where a special Drainage District has been formed as herein-before provided, and the Drainage Works therein have been executed and are maintained under the Authority of this Act, the Lands and Premises situated within such special District shall not be liable to Assessment for the Expense of making Sewers and Drainage Works in other Parts of the District of the Local Authority:

(2.) The Assessments specified in this Section and in the Ninety-third Section hereof shall not in any Year exceed the Rate of Threepence in the Pound.

PART VIII.

Enforcement of and Procedure under this Act.

Procedure if Local Authority neglect its Duty under this Act.

96. If any Nuisance shall exist upon or in Premises possessed or managed by the Local Authority, or in which the Local Authority have any Interest, or if the Local Authority shall fail or neglect to perform any Duty imposed upon them by this Act, or to take all due Proceedings in this Act authorized for the Removal of Nuisances or Preservation of Health, or due Regulation of Lodging Houses, or for any other of the Purposes of this Act, it shall be competent for any Two Householders residing within the District, or for the Inspector of the Poor of the Parish, or for the Procurator Fiscal of the Sheriff or Justice of the Peace Court of the County, or of the Burgh Court, or for the Board, to give written Notice to such Local Authority of the Matters in which such Neglect exists; and if the Local Authority do not within Fourteen Days after such Notice, or, in the Case of Neglect to enforce any Regulation or Direction of the Board under Part III. of this Act, within Two Days after such Notice, remove or remedy the Nuisance referred to, or in any other Case neglect to take the Steps authorized or required by or under this Act, it shall be competent for the Parties aforesaid, or any One of them, to apply to the Sheriff by summary Petition, and the Sheriff shall thereupon inquire into the same, and may make such Decree as shall in his Judgment be required to enforce the Removal or Remedy of the Nuisance, or otherwise to compel Execution of or carry out the Provisions and Purposes of this Act, and may appoint the same to be carried into effect by and at the Sight of such Persons as he may think fit, and at the Expense of the Local Authority, or of other Parties on whom the Expense ought in his Opinion to be laid, and for Payment of the Expenses of such Application by the Petitioners or by the Local Authority or other Party, as Justice may require; and further, it shall be competent for the Board to present a Petition to the Sheriff, under the Fourth Section of the "Burial Grounds (*Scotland*) Act, 1855," to the same Effect, and to be followed out in like Manner as if presented by any of the Persons or Parties therein mentioned: Provided always, that in regard to any Nuisance for the Removal of which Drainage Works are necessary, the Sheriff or other Judge or Court may suspend Consideration of the Complaint for such Time as may seem proper, in order to enable a general System of Drainage under any General or Local Act or otherwise to be carried out, the better to remove such Nuisances.

 97. In

Provision for Refusal or Neglect of Local Authority.

97. In case any Local Authority shall refuse or neglect to do what is herein or otherwise by Law required of them, or in case any Obstruction shall arise in the Execution of this Act, it shall be lawful for the Board, with the Approval of the Lord Advocate, to apply by summary Petition to either Division of the Court of Session, or during Vacation or Recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorized and directed to do therein and to dispose of the Expenses of the Proceedings as to the said Division or Lord Ordinary shall appear to be just.

Procurator Fiscal may sue by Directions of the Board.

98. In any Place within the Jurisdiction of a Local Authority the Procurator Fiscal of the Sheriff Court, on the Board being satisfied that the Local Authority have made default in doing their Duty, may, with the Approval of the Lord Advocate, institute and follow out Proceedings against the Local Authority for compelling them to do their Duty, and may institute and follow out in all respects any Proceeding which the Local Authority of such Place might institute with respect to the Removal of Nuisances or otherwise; and the Expense as between Agent and Client of all such Proceedings shall be paid by the Local Authority, but with such Relief to them against the Author of any Nuisance or any other Party as may be competent.

Duties of Local Authorities as to Inspection of Nuisances, &c.

99. It shall be the Duty of the Local Authority to make from Time to Time, and also when required by the Board, either by themselves or by their Officers, Inspection of the District, with a view to ascertain what Nuisances exist calling for Abatement under the Powers of this Act, and to enforce the Provisions of the Act in order to cause the Abatement thereof, also to enforce the Provisions of any Act that may be in force within its District requiring Fireplaces and Furnaces to consume their own Smoke: Where a Nuisance is situated in a District the Local Authority of which does not cause the same to be abated, and which Nuisance is offensive or injurious to another District, the Local Authority of the latter District may call on the first-mentioned Local Authority to take all competent Steps for Removal of such Nuisance, and the said first-mentioned Local Authority shall be bound to do so accordingly; and any Expense thereby occasioned to the said second-mentioned Local Authority shall be reimbursed by the first-mentioned Local Authority, the Amount of such Reimbursement in the Case of Dispute to be finally determined by the Board.

Procedure where Nuisance beyond District.

Local Authority may require Pay-

100. It shall be lawful for the Local Authority, at their Discretion, to require the Payment of any Costs or Expenses which the

the Owner of any Premises may be liable to pay under this Act, either from the Owner or from any Person who then or at any Time thereafter occupies such Premises, and such Owner or Occupier shall be liable to pay the same, and the same shall be recovered in manner authorized by this Act, and the Owner shall allow such Occupier to deduct the Sums of Money which he so pays out of the Rent from Time to Time becoming due in respect of the said Premises, as if the same had been actually paid to such Owner as Part of such Rent: Provided always, that no such Occupier who shall not be the Author of a Nuisance shall be required to pay any further Sum than the Amount of Rent for the Time being due from him, or which, after such Demand of such Costs or Expenses from such Occupier, and after Notice not to pay his Landlord any Rent without first deducting the Amount of such Costs or Expenses, becomes payable by such Occupier, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Local Authority, truly to disclose the Amount of his Rent and the Name and Address of the Person to whom such Rent is payable, but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier: Provided also, that nothing herein contained shall be taken to affect as between the contracting Parties any Contract made or to be made between any Owner, Tenant, or Occupier of any House, Building, or other Property, whereby it is or may be agreed that the Tenant or Occupier shall pay or discharge all Rates, Dues, and Sums of Money payable in respect of such House, Building, or other Property, or to affect as between the contracting Parties any Contract whatsoever between Landlord and Tenant.

ment of Costs or Expenses from Owner or Occupier, and Occupier paying to deduct from Rent.

101. If any Person wilfully damages any Works or Property belonging to any Local Authority, he shall be liable to a Penalty not exceeding Five Pounds, in addition to the Cost of repairing such Works or Property.

Penalty for wilful Damage of Works.

102. Any Local Authority may appear and plead before any Sheriff, Magistrate, or Justice, or in any legal Proceeding, by any Officer or Member, or other Person authorized generally, or in respect of any special Proceeding, by Resolution of such Authority, and such Person being so authorized shall be at liberty to institute and carry on any Proceeding which the Authority is authorized to institute and carry on under this Act; and it shall not be necessary for the Local Authority to appear in any other Manner in any Prosecution or Proceeding at their Instance.

Appearance of Local Authorities in legal Proceedings.

103. All

Recovery of Penalties.

103. All Penalties under this Act, and also all Sums of Money and Expenses herein directed to be recovered in a summary Manner, may, unless otherwise provided in this Act, be recovered at the Suit of the Local Authority, and may be applied for the Purposes of this Act: Provided always, that nothing contained in this Section shall impair or affect any other Mode of Recovery allowed by this Act: Provided also, that all Contraventions of the Provisions contained in this Act relating to Overcrowding of Houses, and all Contraventions of the Provisions in this Act or of the Rules and Regulations made under the Authority of this Act relating to Common Lodging Houses, may be prosecuted as Police Offences before any Judge or Magistrate having Police Jurisdiction, and in the same Way and Manner as Police Offences are prosecuted before him under any General or Local Police Act; and in the event of the Offender being convicted, and failing to make immediate Payment of the Penalty which may have been imposed, he shall be liable to Imprisonment for any Period not exceeding Fourteen Days, without Prejudice to Diligence by Poinding or Arrestment, if no Imprisonment has followed on the Conviction.

Powers of Act cumulative.

104. All Powers given by this Act shall be deemed to be in addition to, and not in derogation of, any Powers conferred by Act of Parliament not hereby repealed, or any Law or Custom; and such last-mentioned Powers may be exercised in the same Manner as if this Act had not passed, but without Prejudice to the Powers conferred by this Act.

Form of Applications to the Sheriff.

105. All Applications to enforce any Provision of this Act, or for the Recovery of Penalties herein imposed, or other Sums of Money becoming due to the Local Authority in virtue of this Act, in so far as not herein otherwise provided for, may be by summary Petition, and such Petition may refer to the Clauses of this Act on which it is founded, without setting forth the same; and the Sheriff, Magistrate, or Justice shall thereupon, if he see fit, appoint the Petition to be answered within Three Days after Service, or may order the Parties to attend him in Person, and on advising such Answer, or hearing the Parties, or on the Respondent failing to appear, he may at once decern, or may appoint any competent Person to examine the Premises and report to him, and may decern on such Report, or he may, if either Party desire it, order Proof to be led before himself on any specified Points, and shall in that Case appoint a Day, not more than Five Days thereafter, for hearing such Proof, and if the Proof be not on that Day completed may adjourn the same from Time to Time until completed, and within Three Days after such Completion he shall give Decree, and he

he may find either Party liable in Expenses, or in any modified Sum of Expenses, and may, without Prejudice to Diligence by Poinding or Arrestment, grant Warrant for the Imprisonment of the Person convicted or found liable in a Penalty or Sum of Money, unless he shall pay the whole Sums found due within a specified Time, until the same be paid, such Imprisonment not to exceed a specified Time, but the Judgment shall not be invalidated by any Deviation from any of the said Periods of Time.

No written Pleadings, &c allowed.

106. No written Pleadings, other than the Petition and Answers (when ordered), shall be allowed, and the Sheriff, Magistrate, or Justice shall have Power to grant Diligence in common Form to cite Witnesses and Havers, and in Cases under the Heads marked (*h.*), (*i.*), and (*j.*) in Section Sixteen the Sheriff shall take Notes of the Evidence in like Manner as in Civil Proofs: Provided always, that no Decree under this Act against any Party shall bar his Right to Relief against any other Party legally liable therein.

Appeal in certain Cases.

107. Where in Cases under the Heads (*h.*), (*i.*), and (*j.*) in Section Sixteen it shall appear to the Sheriff that the true Value of the Subject complained of as a Nuisance, or the Cost of the Operations necessary to remove or amend it as ordered, or the Value of the Trade or Business interfered with, exceeds the Sum of Twenty-five Pounds or the Sum of Fifty Pounds respectively, he shall certify his Opinion to that Effect in his Decree, and the Parties shall thereupon be entitled to appeal from the Sheriff Substitute, where the Judgment has been pronounced by him to the Sheriff, on lodging, within Three Days after the Decree, a Note of Appeal with the Sheriff Clerk, and serving the same on the opposite Party or the Agent acting in such Proceedings for such Party, and such Note shall operate as a Sist of Execution until the Appeal be determined; and on such Note being lodged the Sheriff Clerk shall transmit the Process, together with the Sheriff Substitute's Notes of Evidence, to the Sheriff, whose Decision thereon shall be final where the Value certified is not above Fifty Pounds; and in the event of such Value or Cost being so certified to exceed the Sum of Fifty Pounds, the Parties shall be entitled to present a Note of Appeal to the Lord Ordinary on the Bills against the Judgment either of the Sheriff Substitute or of the Sheriff, whether this last be an original Judgment or an Appeal, provided that, along with such Note, the Appellant shall lodge a sufficient Bond of Caution by One or more Obligants, to the Amount of Fifty Pounds Sterling, for Payment or Performance of any Judgment that may be pronounced under his Appeal; and also provided that such Note be lodged in the Bill Chamber, and a Copy thereof served on the opposite Party or his

said Agent within Eight Days after the Date of the Sentence or Judgment complained of, which Note shall in like Manner operate as a Sist of Execution until a Judgment be pronounced by the Lord Ordinary, which Judgment shall be final unless the Lord Ordinary shall allow a Reclaiming Note to the Inner House, and the Judgment of the Inner House shall be final.

No Appeal otherwise.

108. No Appeal shall be competent from any Decree or Order of any Magistrate or Justices, or from the Decree or Order of any Sheriff, except in Cases certified in Terms of the preceding Section; and no Decree or Order, or any other Proceeding, Matter, or Thing done in the Execution of this Act, shall, excepting as herein provided, be subject to Review in any way whatever.

Justices being Members of Local Authority may act.

109. The Sheriff, Justices of the Peace, or Magistrates may in all Cases, notwithstanding their being Members of the Local Authority or the Board, exercise the Jurisdiction vested in them under this Act.

Service of Notices, Petitions, and Orders.

110. Notices, Petitions, and Orders under this Act may be served by any Person by delivering the same to or at the Residence of the Parties to whom they are respectively addressed, or by being put into the Post Office duly addressed to the Parties; and where addressed to the Owner or Occupier of Premises they may be served by any Person delivering the same or a true Copy thereof to some Person upon the Premises, or, if there be no Person upon the Premises who can be so served, by fixing the same upon some conspicuous Part of the Premises; and Service of such Notices, Petitions, or Orders may be proved by a Certificate under the Hand of the Person who posted or delivered or affixed the same, attested by One Witness who was also present.

Proof of Resolutions of Local Authority and Board.

111. Copies of any Orders or Resolutions of the Local Authority or their Committee purporting to be signed by the Chairman of such Body or Committee, and all Directions and Regulations, or Orders or Resolutions of the Board, signed by their Secretary or Clerk, shall, unless the contrary be shown, be received as Evidence thereof without Proof of their Meeting, or of the official Character or Signature of the Person signing the same.

One or more Joint Owners may be proceeded against alone.

112. In case of any Demand or Complaint under this Act to which Two or more Parties, whether as Owners or Occupiers of Premises, may be jointly answerable, it shall be sufficient to proceed against any One or more of them without proceeding against the others or other of them; but nothing herein contained shall prevent

prevent the Parties so proceeded against from recovering Relief in any Case in which they would now be entitled to Relief by Law.

Penalty on Occupier obstructing Owner.

113. If the Occupier of any Premises prevent the Owner thereof from obeying or carrying into effect the Provisions of this Act, the Sheriff or any Magistrate or Justice to whom Application is made shall, by Order in Writing, require such Occupier to permit the Execution of the Works required to be executed, provided that such Works appear to such Sheriff, Magistrate, or Justice to be necessary for the Purpose of obeying or carrying into effect the Provisions of this Act; and if within a reasonable Time after the making of such Order the Occupier against whom it is made refuse to comply therewith, he shall be liable to a Penalty not exceeding Five Pounds for every Day afterwards during the Continuance of such Refusal.

Penalty for violating Act or obstructing its Execution.

114. Whoever wilfully violates or contravenes any Provision of this Act to which a pecuniary Penalty is not herein attached, obstructs any Person acting under the Authority or employed in the Execution of this Act, or wilfully violates any Direction or Regulation issued by the Board under this Act, shall be liable for every such Offence to a Penalty not exceeding Five Pounds; provided that nothing in this Act shall exempt any Person from any Penalty or Liability to which he may otherwise be subject.

Works of Distribution of Sewage to be deemed a Land Improvement.

115. The making of Works of Distribution and Service for the Supply of Sewage to Lands for agricultural Purposes shall be deemed an Improvement of Land authorized by the Land Improvement Act, 1864, and the Provisions of that Act shall apply accordingly.

Compensation to be made.

116. Full Compensation shall be made, out of any Fund or Assessment applicable to the Purposes of this Act, to all Persons sustaining any Damage by reason of the Exercise of any of the Powers of this Act, except when otherwise specially provided; and in case of Dispute, if the Sum claimed do not exceed the Sum of Fifty Pounds Sterling, the same may be ascertained on a summary Application by either Party to the Sheriff, whose Decision shall be final and not subject to Review, unless when pronounced by the Sheriff Substitute, in which Case it may be reviewed by the Sheriff on Appeal; and when the Sum claimed exceeds Fifty Pounds Sterling, such Compensation shall be ascertained and disposed of in Terms of the Lands Clauses Acts.

117. No

Convictions not void for Want of Form.

117. No Conviction or other legal Proceeding under this Act shall be void for Want of Form, or for Want of any previous Notice, provided in this latter Case the Party proceeded against or convicted has appeared or the Charge had come to his Knowledge; and the Charge may be amended at any Time, and the Proceedings may be adjourned on the Ground of Want of sufficient Notice, or for other good Cause.

Local Authority or Board not liable for Irregularity of their Officers.

118. The Local Authority and the Board shall not be liable in Damages for any Irregularity committed by their Officers in the Execution of this Act, or for anything done by themselves in the *bonâ fide* Execution of this Act; and every Officer acting in the *bonâ fide* Execution of this Act shall be indemnified by the Local Authority under which he acts in respect of all Costs, Liabilities, and Charges to which he may be subjected; and every Action or Prosecution against any Person acting under this Act on account of any Wrong done in or by any Action, Proceeding, or Operation under this Act shall be commenced within Two Months after the Cause of Action shall have arisen.

As to Forms to be used.

119. The Forms contained in the Schedule to this Act annexed, or any Forms to the like Effect, may be used for the Purposes of this Act, and shall be sufficient therefor, and all written Proceedings or Documents under this Act may be wholly or partly printed.

Exemption from Stamp Duties.

120. All Bonds, Assignations, Conveyances, Instruments, Agreements, Receipts, or other Writings made or granted by or to or in favour of the Local Authority under this Act shall be exempt from all Stamp Duties.

Police Constables to aid in executing Act.

121. The Constabulary and Police Force in their respective Jurisdictions shall aid the Authorities and Officers acting in execution of this Act, or any Directions or Regulations issued as aforesaid.

Act not to impair Right of Action, &c.

122. Nothing in this Act shall be construed to impair any Right of Action in respect of Nuisances at Common Law.

SCHE-

SCHEDULE.

Bond for Borrowed Money.

We, the Local Authority of the Burgh [*or* Parish] of considering that, by Resolution of the said Local Authority passed on the Day of , it was resolved to borrow the Sum of Pounds, under the Powers contained in "The Public Health (Scotland) Act, 1867," Section , for the Purpose of [*specify Purpose*], and on Security of the after-mentioned Assessments, and further considering that we have accordingly borrowed and received the Sum of from [*Name and Designation of the Lender*], therefore we bind the said Local Authority to repay the said Sum of Pounds [*here insert Obligation to repay in accordance with the Arrangement made between the Local Authority and the Lender*], and in Security of the said Loan we hereby assign to the said and his foresaids the [*specify the Assessments on the Security of which the Money is borrowed*], and we consent to the Registration hereof for Preservation and Execution. In witness whereof, *&c.*

Transfer.

I, *A.B.* [*Designation*], in consideration of the Sum of paid to me by *C.D.* [*Designation*], do hereby assign and transfer to the said *C.D.*, and his Heirs, Executors, and Successors, a certain Bond, Number , granted by the Local Authority of the Burgh [*or* Parish] of in favour of bearing Date the Day of for securing the Sum of and Interest thereon, and all my Right and Interest in and to the Money thereby secured, and in and to the [*here specify the Assessments on the Security of which the Money was borrowed*] thereby assigned; and I consent to Registration hereof for Preservation. In witness whereof, *&c.*

Discharge.

I, *A.B.* [*Designation*], in consideration of the Sum of paid to me by *C.D.* [*Designation*], do hereby discharge a certain Bond, Number , granted by the Local Authority of the Burgh [*or* Parish] of in favour of , and all Interest due thereon, and I declare the Assessments thereby assigned to be freed and discharged thereof; and I consent to Registration hereof for Preservation. In witness whereof, *&c.*

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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

CAP. CII.

An Act further to amend the Laws relating to the Representation of the People in *England* and *Wales*. [15th *August* 1867.]

WHEREAS it is expedient to amend the Laws relating to the Representation of the People in *England* and *Wales*:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act shall be cited for all Purposes as "The Representation of the People Act, 1867."

Application of Act.

2. This Act shall not apply to *Scotland* or *Ireland*, nor in anywise affect the Election of Members to serve in Parliament for the Universities of *Oxford* or *Cambridge*.

PART I.

Franchises.

Occupation Franchise for Voters in Boroughs.

3. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and,

and, when registered, to vote for a Member or Members to serve in Parliament for a Borough, who is qualified as follows; (that is to say,)

1. Is of full Age, and not subject to any legal Incapacity; and
2. Is on the last Day of *July* in any Year, and has during the whole of the preceding Twelve Calendar Months been, an Inhabitant Occupier, as Owner or Tenant, of any Dwelling House within the Borough; and
3. Has during the Time of such Occupation been rated as an ordinary Occupier in respect of the Premises so occupied by him within the Borough to all Rates (if any) made for the Relief of the Poor in respect of such Premises; and
4. Has on or before the Twentieth Day of *July* in the same Year *bonâ fide* paid an equal Amount in the Pound to that payable by other ordinary Occupiers in respect of all Poor Rates that have become payable by him in respect of the said Premises up to the preceding Fifth Day of *January*:

Provided that no Man shall under this Section be entitled to be registered as a Voter by reason of his being a joint Occupier of any Dwelling House.

Lodger Franchise for Voters in Boroughs.

4. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and, when registered, to vote for a Member or Members to serve in Parliament for a Borough, who is qualified as follows; (that is to say,)

1. Is of full Age and not subject to any legal Incapacity; and
2. As a Lodger has occupied in the same Borough separately and as sole Tenant for the Twelve Months preceding the last Day of *July* in any Year the same Lodgings, such Lodgings being Part of one and the same Dwelling House, and of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards; and
3. Has resided in such Lodgings during the Twelve Months immediately preceding the last Day of *July*, and has claimed to be registered as a Voter at the next ensuing Registration of Voters.

Property Franchise for Voters in Counties.

5. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and, when registered, to vote for a Member or Members to serve in Parliament for a County, who is qualified as follows; (that is to say,)

1. Is of full Age, and not subject to any legal Incapacity, and is seised at Law or in Equity of any Lands or Tenements of Freehold, Copyhold, or any other Tenure whatever, for his

his own Life, or for the Life of another, or for any Lives whatsoever, or for any larger Estate of the clear yearly Value of not less than Five Pounds over and above all Rents and Charges payable out of or in respect of the same, or who is entitled, either as Lessee or Assignee, to any Lands or Tenements of Freehold or of any other Tenure whatever, for the unexpired Residue, whatever it may be, of any Term originally created for a Period of not less than Sixty Years (whether determinable on a Life or Lives or not), of the clear yearly Value of not less than Five Pounds over and above all Rents and Charges payable out of or in respect of the same: Provided that no Person shall be registered as a Voter under this Section unless he has complied with the Provisions of the Twenty-sixth Section of the Act of the Second Year of the Reign of His Majesty *William* the Fourth, Chapter Forty-five.

Occupation Franchise for Voters in Counties.

6. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and, when registered, to vote for a Member or Members to serve in Parliament for a County, who is qualified as follows; (that is to say,)

1. Is of full Age, and not subject to any legal Incapacity; and
2. Is on the last Day of *July* in any Year, and has during the Twelve Months immediately preceding been, the Occupier, as Owner or Tenant, of Lands or Tenements within the County of the rateable Value of Twelve Pounds or upwards; and
3. Has during the Time of such Occupation been rated in respect to the Premises so occupied by him to all Rates (if any) made for the Relief of the Poor in respect of the said Premises; and
4. Has on or before the Twentieth Day of *July* in the same Year paid all Poor Rates that have become payable by him in respect of the said Premises up to the preceding Fifth Day of *January*.

Occupiers in Boroughs to be rated, and not Owners.

7. Where the Owner is rated at the Time of the passing of this Act to the Poor Rate in respect of a Dwelling House or other Tenement situate in a Parish wholly or partly in a Borough, instead of the Occupier, his Liability to be rated in any future Poor Rate shall cease, and the following Enactments shall take effect with respect to rating in all Boroughs:

1. After the passing of this Act no Owner of any Dwelling House or other Tenement situate in a Parish either wholly or partly within a Borough shall be rated to the Poor Rate instead of the Occupier, except as herein-after mentioned:

2. The

2. The full rateable Value of every Dwelling House or other separate Tenement, and the full Rate in the Pound payable by the Occupier, and the Name of the Occupier, shall be entered in the Rate Book:

Where the Dwelling House or Tenement shall be wholly let out in Apartments or Lodgings not separately rated, the Owner of such Dwelling House or Tenement shall be rated in respect thereof to the Poor Rate:

Provisoes as to Compositions, &c.

Provided as follows:

(1.) That nothing in this Act contained shall affect any Composition existing at the Time of the passing of this Act, so nevertheless that no such Composition shall remain in force beyond the Twenty-ninth Day of *September* next:

(2.) That nothing herein contained shall affect any Rate made previously to the passing of this Act, and the Powers conferred by any subsisting Act for the Purpose of collecting and recovering a Poor Rate shall remain and continue in force for the Collection and Recovery of any such Rate or Composition:

(3.) That where the Occupier under a Tenancy subsisting at the Time of the passing of this Act of any Dwelling House or other Tenement which has been let to him free from Rates is rated and has paid Rates in pursuance of this Act, he may deduct from any Rent due or accruing due from him in respect of the said Dwelling House or other Tenement any Amount paid by him on account of the Rates to which he may be rendered liable by this Act.

First Registration of Occupiers of Dwelling Houses, &c.

8. Where any Occupier of a Dwelling House or other Tenement (for which the Owner at the Time of the passing of this Act is rated or is liable to be rated) would be entitled to be registered as an Occupier in pursuance of this Act at the First Registration of Parliamentary Voters to be made after the Year One thousand eight hundred and sixty-seven if he had been rated to the Poor Rate for the whole of the required Period, such Occupier shall, notwithstanding he may not have been rated prior to the Twenty-ninth Day of *September* One thousand eight hundred and sixty-seven as an ordinary Occupier, be entitled to be registered, subject to the following Conditions:

1. That he has been duly rated as an ordinary Occupier to all Poor Rates in respect of the Premises after the Liability of the Owner to be rated to the Poor Rate has ceased, under the Provisions of this Act:

2. That

2. That he has on or before the Twentieth Day of *July* One thousand eight hundred and sixty-eight paid all Poor Rates which have become payable by him as an ordinary Occupier in respect of the Premises up to the preceding Fifth Day of *January*.

Restriction as to Number of Votes in certain Counties and Boroughs;

9. At a contested Election for any County or Borough represented by Three Members no Person shall vote for more than Two Candidates.

and in the City of London.

10. At a contested Election for the City of *London* no Person shall vote for more than Three Candidates.

No Elector who has been employed for Reward within Six Months of an Election to be entitled to vote.

11. No Elector who within Six Months before or during any Election for any County or Borough shall have been retained, hired, or employed for all or any of the Purposes of the Election for Reward by or on behalf of any Candidate at such Election as Agent, Canvasser, Clerk, Messenger, or in other like Employment, shall be entitled to vote at such Election, and if he shall so vote he shall be guilty of a Misdemeanor.

Boroughs of Totnes, Reigate, Yarmouth, and Lancaster to cease to return Members after End of present Parliament.

12. Whereas upon Representations made to Her Majesty in joint Addresses of both Houses of Parliament to the Effect that the Select Committees of the House of Commons appointed to try the Petitions complaining of undue Elections and Returns for the Boroughs of *Totnes*, *Reigate*, *Great Yarmouth*, and *Lancaster* had Reason to believe that corrupt Practices had extensively prevailed at the last Elections for the said Boroughs, Commissioners were appointed for the Purpose of making Inquiry into the Existence of such corrupt Practices, in pursuance of the Act of Parliament passed in the Sixteenth Year of the Reign of Her present Majesty, Chapter Fifty-seven, intituled *An Act to provide for the more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament*: And whereas the Commissioners so appointed reported to Her Majesty as follow:

16 & 17 Vict. c. 57.

1. As respects the said Borough of *Totnes*, that at every Election for the said Borough since and including the Election in the Year 1857 corrupt Practices had extensively prevailed:
2. As respects the said Borough of *Reigate*, that Bribery and Treating had prevailed at the Election in the Year 1859, and had extensively prevailed at the Two Elections in the Year 1858, and at the Elections in the Years 1863 and 1865:

3. As respects the said Borough of *Great Yarmouth*, that corrupt and illegal Practices had extensively prevailed at the Elections in the Years 1859 and 1865:

4. As respects the said Borough of *Lancaster*, that corrupt Practices had extensively prevailed at the Election in the Year 1865, and, with rare Exceptions, had for a long Time prevailed at contested Elections for Members to serve in Parliament for that Borough:

Be it enacted, That from and after the End of this present Parliament the Boroughs of *Totnes*, *Reigate*, *Great Yarmouth*, and *Lancaster* shall respectively cease to return any Member or Members to serve in Parliament.

Persons reported guilty of Bribery in Totnes disqualified as Voters for Southern Division of Devon in respect of Qualification arising in said Borough.

13. Whereas the Commissioners appointed under a Commission of Her Majesty, dated the Sixteenth Day of *June* One thousand eight hundred and sixty-six, for the Purpose of making Inquiry into the Existence of corrupt Practices in the Borough of *Totnes*, have by their Report, dated the Twenty-ninth Day of *January* One thousand eight hundred and sixty-seven, reported to Her Majesty that the Persons named in Schedules (I.) and (K.) to the said Report annexed had been guilty of giving or receiving Bribes: Be it enacted, That none of the Persons so named in the said Schedules shall have the Right of voting for the Southern Division of the County of *Devon* in respect of a Qualification situated within the said Borough of *Totnes*.

Persons reported guilty of Bribery in Great Yarmouth disqualified as Voters for North-eastern Division of Norfolk or Eastern Division of Suffolk in respect of Qualification arising in said Borough.

14. Whereas the Commissioners appointed under a Commission of Her Majesty, dated the Sixteenth Day of *June* One thousand eight hundred and sixty-six, for the Purpose of making Inquiry into the Existence of corrupt Practices in the Borough of *Great Yarmouth*, have by their Report, dated the Twentieth Day of *December* One thousand eight hundred and sixty-six, reported to Her Majesty that the Persons named in Schedules (A.) and (B.) to the said Report annexed had been guilty of giving or receiving Bribes: Be it enacted, That none of the Persons so named in the said Schedules shall have the Right of voting for the North-eastern Division of the County of *Norfolk*, or the Eastern Division of the County of *Suffolk*, in respect of a Qualification situated within the Borough of *Great Yarmouth*.

Persons reported guilty of Bribery in Lancaster disqualified as Voters for Northern

15. Whereas the Commissioners appointed under a Commission of Her Majesty, dated the Sixteenth Day of *June* One thousand eight hundred and sixty-six, for the Purpose of making Inquiry into the Existence of corrupt Practices in the Borough of *Lancaster*, have by their Report reported to Her Majesty that certain Persons had

had been guilty of giving or receiving Bribes: Be it enacted, That none of the said Persons appearing by the Schedules marked (A.) and (B.) to the said Report annexed to have been bribed, or as bribing and treating, shall have the Right of voting for the Northern Division of the County of *Lancaster* in respect of a Qualification situated within the said Borough of *Lancaster*.

Division of Lancaster in respect of Qualification arising in said Borough.

16. Whereas the Commissioners appointed under a Commission of Her Majesty, dated the Sixteenth Day of *June* One thousand eight hundred and sixty-six, for the Purpose of making Inquiry into the Existence of corrupt Practices in the Borough of *Reigate*, by their Report, dated the Second Day of *February* One thousand eight hundred and sixty-seven, reported to Her Majesty that the Persons named in Schedules (A.), (B.), and (C.) had been guilty of giving or receiving Bribes: Be it enacted, That none of the said Persons so named in the said Schedules, and appearing thereby to have been so guilty in the Election which took place in the Year One thousand eight hundred and sixty-five, shall have the Right of voting for the Division of *Mid Surrey* in respect of a Qualification situated within the Borough of *Reigate*.

Persons reported guilty of Bribery in Reigate disqualified as Voters for Division of Mid-Surrey in respect of Qualification arising in said Borough.

PART II.

Distribution of Seats.

17. From and after the End of this present Parliament, no Borough which had a less Population than Ten thousand at the Census of One thousand eight hundred and sixty-one shall return more than One Member to serve in Parliament, such Boroughs being enumerated in Schedule (A.) to this Act annexed.

Boroughs, as in Schedule (A.), to return One Member each.

18. From and after the End of this present Parliament, the City of *Manchester*, and the Boroughs of *Liverpool*, *Birmingham*, and *Leeds*, shall each respectively return Three Members to serve in Parliament.

Boroughs hereinnamed to return Three Members each.

19. Each of the Places named in Schedule (B.) to this Act annexed shall be a Borough, and, until otherwise directed by Parliament, each such Borough shall comprise such Places as are specified and described in connexion with the Name of each such Borough in the said Schedule (B.); and in all future Parliaments the Borough of *Chelsea*, named in the said Schedule, shall return Two Members, and each of the other Boroughs named in the said Schedule shall return One Member to serve in Parliament.

New Boroughs, as in Schedule (B.), to return One Member each, except Chelsea which shall return Two.

20. Registers

Registers of Voters to be formed for new Boroughs.

20. Registers of Voters shall be formed in and after the Year One thousand eight hundred and sixty-eight, notwithstanding the Continuance of this present Parliament, for or in respect of the Boroughs constituted by this Act, in like Manner as if before the passing of this Act they respectively had been Boroughs returning Members to serve in Parliament.

Merthyr Tydfil and Salford to return Two Members each.

21. From and after the End of the present Parliament, the Boroughs of *Merthyr Tydfil* and *Salford* shall each return Two Members instead of One to serve in future Parliaments; and the Borough of the *Tower Hamlets* shall be divided into Two Divisions, and each Division shall in all future Parliaments be a separate Borough returning Two Members to serve in Parliament.

Tower Hamlets to be divided into Two Divisions, each Division to return Two Members.

The said Divisions shall be known by the Name of the Borough of *Hackney* and the Borough of the *Tower Hamlets*, and, until otherwise directed by Parliament, shall comprise the Places mentioned in connexion with each such Borough in Schedule (C.) hereto annexed.

Registers of Voters to be formed for the Boroughs of Hackney and the Tower Hamlets.

22. Registers of Voters shall be formed in and after the Year One thousand eight hundred and sixty-eight, notwithstanding the Continuance of this present Parliament, in respect of the said Boroughs of *Hackney* and of the *Tower Hamlets* constituted under this Act, in like Manner as if such Divisions had previously to the passing of this Act been separate Boroughs returning Members to serve in Parliament.

Division of certain Counties, as in Schedule (D.)

23. From and after the End of the present Parliament, each County named in the First Column of Schedule (D.) to this Act annexed shall be divided into the Divisions named in the Second Column of the said Schedule, and, until otherwise directed by Parliament, each of such Divisions shall consist of the Hundreds, Lathes, Wapentakes, and Places mentioned in the Third Column of the said Schedule.

In all future Parliaments there shall be Two Members to serve for each of the Divisions specified in the said Second Column, and such Members shall be chosen in the same Manner, and by the same Description of Voters, and in respect of the same Rights of voting, as if each such Division were a separate County.

All Enactments relating to Divisions of Counties returning Members to serve in Parliament shall be deemed to apply to the Divisions constituted as aforesaid.

Registers of Voters shall be formed in and after the Year One thousand eight hundred and sixty-eight, notwithstanding the Continuance of this present Parliament, for or in respect of the Divisions

of

of Counties constituted by this Act, in like Manner as if before the passing of this Act they had respectively been Counties returning Members to serve in Parliament.

University of London to return OneMember.

24. In all future Parliaments the University of *London* shall return One Member to serve in Parliament.

Electors for Members of the University of London.

25. Every Man whose Name is for the Time being on the Register of Graduates constituting the Convocation of the University of *London* shall, if of full Age, and not subject to any legal Incapacity, be entitled to vote in the Election of a Member to serve in any future Parliament for the said University.

PART III.

Supplemental Provision.

Incidents of Franchise.

As to successive Occupations.

26. Different Premises occupied in immediate Succession by any Person as Owner or Tenant during the Twelve Calendar Months next previous to the last Day of *July* in any Year shall, unless and except as herein is otherwise provided, have the same Effect in qualifying such Person to vote for a County or Borough as a continued Occupation of the same Premises in the Manner herein provided.

As to Joint Occupation in Counties.

27. In a County where Premises are in the joint Occupation of several Persons as Owners or Tenants, and the aggregate rateable Value of such Premises is such as would, if divided amongst the several Occupiers, so far as the Value is concerned, confer on each of them a Vote, then each of such joint Occupiers shall, if otherwise qualified, and subject to the Conditions of this Act, be entitled to be registered as a Voter, and when registered to vote at an Election for the County: Provided always, that not more than Two Persons, being such joint Occupiers, shall be entitled to be registered in respect of such Premises, unless they shall have derived the same by Descent, Succession, Marriage, Marriage Settlement, or Devise, or unless they shall be *bonâ fide* engaged as Partners carrying on Trade or Business thereon.

Notice of Rate in arrear to be given by

28. Where any Poor Rate due on the Fifth Day of *January* in any Year from an Occupier in respect of Premises capable of conferring the Franchise for a Borough remains unpaid on the First

Representation of the People.

Overseers to Voters, in Form as in Schedule (E.)

First Day of *June* following, the Overseers whose Duty it may be to collect such Rate shall, on or before the Twentieth of the same Month of *June*, unless such Rate has previously been paid, or has been duly demanded by a Demand Note, to be served in like Manner as the Notice in this Section referred to, give or cause to be given a Notice in the Form set forth in Schedule (E.) to this Act to every such Occupier. The Notice shall be deemed to be duly given if delivered to the Occupier or left at his last or usual Place of Abode, or with some Person on the Premises in respect of which the Rate is payable. Any Overseer who shall wilfully withhold such Notice, with Intent to keep such Occupier off the List or Register of Voters for the said Borough, shall be deemed guilty of a Breach of Duty in the Execution of the Registration Acts.

Penalty for wilfully withholding Notice.

Overseers to make out a List of Persons in arrear of Rates, which shall be open to Perusal without Fee.

29. The Overseers of every Parish wholly or partly within a Borough shall, on or before the Twenty-second Day of *July* in every Year, make out a List containing the Name and Place of Abode of every Person who shall not have paid, on or before the Twentieth Day of the same Month, all Poor Rates which shall have become payable from him in respect of any Premises within the said Parish before the Fifth Day of *January* then last past, and the Overseers shall keep the said List, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day except *Sunday* during the First Fourteen Days after the said Twenty-second Day of *July*; any Overseer wilfully neglecting or refusing to make out such List, or to allow the same to be perused as aforesaid, shall be deemed guilty of a Breach of Duty in the Execution of the Registration Acts.

Penalty on Overseer for Neglect.

Registration of Voters.

Regulation to be observed as to Registration of Voters.

30. The following Regulations shall in and after the Year One thousand eight hundred and sixty-eight be observed with respect to the Registration of Voters:

1. The Overseers of every Parish or Township shall make out or cause to be made out a List of all Persons on whom a Right to vote for a County in respect of the Occupation of Premises is conferred by this Act, in the same Manner, and subject to the same Regulations, as nearly as Circumstances admit, in and subject to which the Overseers of Parishes and Townships in Boroughs are required by the Registration Acts to make out or cause to be made out a List of all Persons entitled to vote for a Member or Members for a Borough in respect of the

the Occupation of Premises of a clear yearly Value of not less than Ten Pounds:

2. The Claim of every Person desirous of being registered as a Voter for a Member or Members to serve for any Borough in respect of the Occupation of Lodgings shall be in the Form numbered 1. in Schedule (G.), or to the like Effect, and shall have annexed thereto a Declaration in the Form and be certified in the Manner in the said Schedule mentioned, or as near thereto as Circumstances admit; and every such Claim shall after the last Day of *July* and on or before the Twenty-fifth Day of *August* in any Year be delivered to the Overseers of the Parish in which such Lodgings shall be situate, and the Particulars of such Claim shall be duly published by such Overseers on or before the First Day of *September* next ensuing in a separate List, according to the Form numbered 2. in the said Schedule (G.):

So much of Section 18. of the Act of the Session of the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, as relates to the Manner of publishing Lists of Claimants, and to the Delivery of Copies thereof to Persons requiring the same, shall apply to every such Claim and List; and all the Provisions of the 38th and 39th Sections of the same Act with respect to the Proof of the Claims of Persons omitted from the Lists of Voters, and to Objections thereto, and to the Hearing thereof, shall, so far as the same are applicable, apply to Claims and Objections, and to the Hearing thereof, under this Section.

Definition of "Expenses of Registration."

31. The Word "Expenses" contained in the Sections Fifty-four and Fifty-five of the said Registration Act of the Session of the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, shall be deemed to and shall include and apply to all proper and reasonable Fees and Charges of any Clerk of the Peace of any County, or of any Town Clerk of any City or Borough, to be hereafter made or charged by him in any Year for his Trouble, Care, and Attention in the Performance of the Services and Duties imposed upon him by the same Act or by this Act, in addition to any Money actually paid or disbursed by him for or in respect of any such Services or Duties as aforesaid.

Provision as to Duties of Clerks of Peace in Parts of Lincolnshire.

32. Whereas several of the Hundreds mentioned in the Third Column of the said Schedule (D.), and therein assigned to *Mid Lincolnshire*, are situate in the Parts of *Lindsey*, and others are situate in the Parts of *Kesteven*, and the Liberty of *Lincoln* consisting

sisting of the City and the County of the City of *Lincoln* is situate partly in the Parts of *Lindsey* and partly in the Parts of *Kesteven*, and there are separate Clerks of the Peace for the said Parts of *Lindsey* and *Kesteven:* In forming the Register for the said Division of *Mid Lincolnshire* the Clerk of the Peace of the Parts of *Lindsey* shall do and perform all such Duties as are by Law required to be done by Clerks of the Peace in regard to such of the Hundreds assigned to *Mid Lincolnshire* as aforesaid as are situate within the said Parts of *Lindsey*, and in regard to so much of the Liberty of *Lincoln* aforesaid as is situate within the said Parts of *Lindsey;* and the Clerk of the Peace of the Parts of *Kesteven* shall do and perform all such Duties as are by Law required to be done by Clerks of the Peace in regard to such of the said Hundreds assigned to *Mid Lincolnshire* as aforesaid as are situate within the said Parts of *Kesteven*, and in regard to so much of the Liberty of *Lincoln* aforesaid as is situate within the said Parts of *Kesteven*.

Places for Election, and Polling Places.

Courts for the Election of Members for Counties, as in Schedule (D.)

33. The Court for the Election of Members for each of the Divisions mentioned in the Second Column of the said Schedule (D.) shall be holden at the Places named for that Purpose in the Fourth Column of the same Schedule.

Provision for increased Polling Places in Counties, &c.

34. In every County the Justices of the Peace having Jurisdiction therein or in the larger Part thereof, assembled at some Court of General or Quarter Sessions, or at some Adjournment thereof, held after the passing of this Act, may, if they think Convenience requires it, divide such County into Polling Districts, and assign to each District a Polling Place, in such Manner as to enable each Voter, so far as practicable, to have a Polling Place within a convenient Distance of his Residence; and the Justices shall advertise, in such Manner as they think fit a Description of the Polling Districts so constituted by them, and the Name of the Polling Place assigned to each District, and shall name the Polling Places at which the Revising Barristers are to hold their Courts, and no Revising Barrister shall be obliged to hold his Courts at any Polling Places not so named: Provided that the Justices of the Peace for the *Isle of Ely*, assembled as aforesaid, shall carry into effect the Provisions of this Section so far as regards the said *Isle of Ely;* but nothing herein contained shall affect the Powers conferred by any other Act of Parliament of altering Polling Places or Polling Districts, or of creating additional Polling Places or Districts:

Proviso as to Isle of Ely.

The Local Authority of every Borough shall, if they think Convenience requires it, as soon as may be after the passing of this Act,

Act, divide such Borough into Polling Districts, and the Returning Officer shall in the Case of a contested Election provide at least One Booth or Room for taking the Poll in each Polling District; and in Cases where a Parliamentary Borough is constituted of Two or more Towns the Distance between Two of which shall exceed Two Miles, there shall be provided a Booth or Room for taking the Poll in each of such Towns:

Where any Parish in a Borough is divided into or forms Part of more than One Polling District, the Overseers shall, so far as practicable, make out the Lists of Voters in such Manner as to divide the Names in conformity with each Polling District:

The Town Clerk, as defined by the Act of the Sixth *Victoria*, Chapter Eighteen, shall cause the Lists of Voters for each Borough to be copied, printed, arranged, and signed, and delivered in the Manner directed by the said Act, so as to correspond with the Division of the Borough into Polling Districts:

A Description of the Polling Districts made or altered in pursuance of this Act shall be advertised by the Local Authority in such Manner as they think fit, and Notice of the Situation, Division, and Allotment of the Polling Booth or Place for each District shall be given in manner now required by Law:

The Local Authority shall mean in every Municipal Borough, and in every Borough any Part of which forms a Municipal Borough, the Town Council of such Borough, and in other Boroughs the Justices of the Peace acting for such Borough, or if there be no such Justices then the Justices acting for the Division of the County in which such Borough or the greater Part thereof is situate; and in Cases where a Parliamentary Borough is constituted by the Combination of Two or more Municipal Boroughs, then the Local Authority shall mean the Town Council of that Municipal Borough in which the Nomination takes place:

The Local Authority may from Time to Time alter any Districts made by them under this Act.

When Polling Places altered, &c. Publication in London Gazette not required, but Justices

35. When by virtue of the Powers conferred by any other Act of Parliament Polling Places or Polling Districts are altered, or additional Polling Places or Districts are created, it shall not be necessary that any Declaration, Direction, or Order made as therein provided be published in the *London Gazette*, but the same shall be advertised by the Justices in such Manner as they shall think

to advertise as they think fit.

fit, and when so advertised shall have the same Force and Effect as if the same had been published in the *London Gazette*.

Payment of Expenses of conveying Voters in Boroughs to the Poll illegal, except herein named.

36. It shall not be lawful for any Candidate, or any One on his Behalf, at any Election for any Borough, except the several Boroughs of *East Retford*, *Shoreham*, *Cricklade*, *Much Wenlock*, and *Aylesbury*, to pay any Money on account of the Conveyance of any Voter to the Poll, either to the Voter himself or to any other Person; and if any such Candidate, or any Person on his Behalf, shall pay any Money on account of the Conveyance of any Voter to the Poll, such Payment shall be deemed to be an illegal Payment within the Meaning of "The Corrupt Practices Prevention Act, 1854."

Rooms to be hired for taking Polls wherever they can be obtained.

37. At every contested Election for any County or Borough, unless some Building or Place belonging to the County or Borough is provided for that Purpose, the Returning Officer shall, whenever it is practicable so to do, instead of erecting a Booth, hire a Building or Room for the Purpose of taking the Poll:

Where in any Place there is any Room the Expense of maintaining which is payable out of any Rates levied in such Place, such Room may, with the Consent of the Person or Corporation having the Control over the same, be used for the Purpose of taking the Poll at such Place.

Alteration as to Time for Delivery of Lists and Commencement of Register of Voters.

38. The Forty-seventh and Forty-eighth Sections of the Act of the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, relating to the Transmission and Delivery of the Book or Books containing the Lists of Voters to the Sheriff and Returning Officer, shall be construed as if the Word "*December*" were substituted in those Sections for the Word "*November*," and the said Book or Books shall be the Register of Persons entitled to vote for the County or Borough to which such Register relates at any Election which takes place during the Year commencing on the First Day of *January* next after such Register is made, and the Register of Electors in force at the Time of the passing of this Act shall be the Register in force until the First Day of *January* One thousand eight hundred and sixty-eight.

Oath or Affirmation, &c. to be taken by Poll Clerks.

39. The Oath to be taken by a Poll Clerk shall hereafter be in the following Form:

'I *A.B.* do hereby swear, That I will truly and indifferently take the Poll at the Election of Members to serve in Parliament for the [Borough *or* County] of

'So help me GOD.'

Every

Representation of the People.

Every Person for the Time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath may, instead of taking the Oath hereby appointed, make a solemn Affirmation in the Form of the Oath hereby appointed, substituting the Words "solemnly, sincerely, and truly declare and affirm" for the Word "swear," and omitting the Words "So help me God."

Receipt of Parochial Relief to apply to Counties as well as Boroughs.

40. The Thirty-sixth Section of the Act of the Second Year of King *William* the Fourth, Chapter Forty-five, disqualifying Persons in Receipt of Parochial Relief from being registered as Voters for a Borough, shall apply to a County also, and the said Section shall be construed as if the Word "County" were inserted therein before the Word "City;" and the Overseers of every Parish shall omit from the Lists made out by them of Persons entitled to vote for the Borough and County in which such Parish is situate the Names of all Persons who have received Parochial Relief within Twelve Calendar Months next previous to the last Day of *July* in the Year in which the List is made out.

Election in University of London.

Vice-Chancellor of University of London to be the Returning Officer.

41. The Vice-Chancellor of the University of *London* shall be the Returning Officer for such University, and the Writ for any Election of a Member to serve in Parliament for such University shall be directed to such Vice-Chancellor.

Elections for University of London to be within Six Days after Receipt of Writ, Three clear Days Notice being given.

42. The Vice-Chancellor of the University of *London* shall proceed to Election, in pursuance of any Writ to be directed to him as herein-before mentioned, within Six Days after the Receipt of such Writ, giving Three clear Days Notice of the Day and Place of Election, exclusive of the Day of Proclamation and the Day of Election; and the Vice-Chancellor shall after such Election certify the same, together with such Writ, according to the Directions thereof.

Polling at University of London may continue Five Days.

43. At every contested Election of a Member or Members to serve in Parliament for the University of *London* the Polling shall commence at Eight o'Clock in the Morning of the Day next following the Day fixed for the Election, and may continue for not more than Five Days (*Sunday*, *Christmas Day*, *Ascension Day*, and *Good Friday* being excluded), but no Poll shall be kept open later than Four o'Clock in the Afternoon.

44. At

Power to Vice-Chancellor to appoint Polling Place, Pro-Vice-Chancellors, and Poll Clerks, to conduct the Poll in the University of London.

44. At every Election of a Member to serve in Parliament for the University of *London* the Vice-Chancellor shall appoint the Polling Place, and also shall have Power to appoint Two or more Pro-Vice-Chancellors, any One of whom may receive the Votes and decide upon all Questions during the Absence of such Vice-Chancellor; and such Vice-Chancellor shall have Power to appoint Poll Clerks and other Officers, by One or more of whom the Votes may be entered in the Poll Book, or such Number of Poll Books as may be judged necessary by such Vice-Chancellor; and such Vice-Chancellor shall, not later than Two o'Clock in the Afternoon of the Day next following the Close of the Poll, openly declare the State of the Poll and make Proclamation of the Member chosen.

Provisions of 24 & 25 Vict. c. 53. as to Voting Papers to apply to University of London.

45. All the Provisions of an Act passed in the Twenty-fourth and Twenty-fifth Years of Her present Majesty, entitled *An Act to provide that Votes at Elections for the Universities may be recorded by means of Voting Papers*, shall apply to every Election of a Member for the University of *London*.

Residence of Electors for the City of London extended to Twenty-five Miles.

46. So much of the Twenty-seventh and Thirty-second Sections of the Act of the Second Year of the Reign of King *William* the Fourth, Chapter Forty-five, and of the Seventy-ninth Section of the Act of the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, as relates to the Residence of Electors within Seven Miles of any City or Borough, shall be repealed in respect to Electors otherwise qualified to be registered and to vote for Members to serve in Parliament for the City of *London*: Provided always, that no Person shall be registered as an Elector for the said City unless he shall have resided for Six Calendar Months next previous to the last Day of *July* in any Year, nor be entitled to vote at any Election for the said City unless he shall have ever since the last Day of *July* in the Year in which his Name was inserted in the Register then in force have resided, and at the Time of voting shall have continued to reside, within the said City, or within Twenty-five Miles thereof or any Part thereof.

Miscellaneous.

As to Returning Officers in new Boroughs.

47. In any Borough named in Schedules (B.) and (C.) to this Act annexed, which is or includes a Municipal Borough, the Mayor of such Municipal Borough shall be the Returning Officer, and in the other Cases the Returning Officer shall be appointed in the same Manner as if such Places were included amongst the Boroughs mentioned in Schedules (C.) and (D.) of the Act of the Second Year of His late Majesty *William* the Fourth, Chapter Forty-five,

Forty-five, for which no Persons are mentioned in such Schedules as Returning Officers.

Appointment of Boundary Commissioners, who may appoint Assistant Commissioners, to examine Boundaries of Boroughs constituted by this Act, and all other Boroughs, and Divisions of Counties as constituted by this Act, and report if Enlargement necessary.

48. The following Persons, that is to say, the Right Honourable Lord Viscount *Eversley*, the Right Honourable *Russell Gurney*, Sir *John Thomas Buller Duckworth* Baronet, Sir *Francis Crossley* Baronet, and *John Walter* Esquire, of whom not less than Three shall be a Quorum, shall be appointed Boundary Commissioners for *England* and *Wales*, and they shall, immediately after the passing of this Act, proceed, by themselves or by Assistant Commissioners appointed by them, to inquire into the temporary Boundaries of every Borough constituted by this Act, with Power to suggest such Alterations therein as they may deem expedient.

They shall also inquire into the Boundaries of every other Borough in *England* and *Wales*, except such Boroughs as are wholly disfranchised by this Act, with a view to ascertain whether the Boundaries should be enlarged, so as to include within the Limits of the Borough all Premises which ought, due Regard being had to Situation or other local Circumstances, to be included therein for the Purpose of conferring upon the Occupiers thereof the Parliamentary Franchise for such Borough.

They shall also inquire into the Divisions of Counties as constituted by this Act, and as to the Places appointed for holding Courts for the Election of Members for such Divisions, with a view to ascertain whether, having regard to the natural and legal Divisions of each County, and the Distribution of the Population therein, any and what Alterations should be made in such Divisions or Places.

The said Commissioners shall, with all practicable Despatch, report to One of Her Majesty's Principal Secretaries of State upon the several Matters in this Section referred to them, and their Report shall be laid before Parliament.

The Commissioners and Assistant Commissioners so appointed shall give Notice, by public Advertisement, of their Intention to visit such Counties and Boroughs, and shall appoint a Time for receiving the Statements of any Persons who may be desirous of giving Information as to the Boundaries or other local Circumstances of such Counties and Boroughs, and the said Commissioners or Assistant Commissioners shall by personal Inspection, and such other Means as the Commissioners shall think necessary, possess themselves of such Information as will enable the Commissioners to make such Report as herein mentioned.

Corrupt Payment of Rates to be punishable as Bribery.

49. Any Person, either directly or indirectly, corruptly paying any Rate on behalf of any Ratepayer for the Purpose of enabling

enabling him to be registered as a Voter, thereby to influence his Vote at any future Election, and any Candidate or other Person, either directly or indirectly, paying any Rate on behalf of any Voter for the Purpose of inducing him to vote or refrain from voting, shall be guilty of Bribery, and be punishable accordingly; and any Person on whose Behalf and with whose Privity any such Payment as in this Section is mentioned is made shall also be guilty of Bribery, and punishable accordingly.

Returning Officer, &c. acting as Agent guilty of Misdemeanor.

50. No Returning Officer for any County or Borough, nor his Deputy, nor any Partner or Clerk of either of them, shall act as Agent for any Candidate in the Management or Conduct of his Election as a Member to serve in Parliament for such County or Borough; and if any Returning Officer, his Deputy, the Partner or Clerk of either of them, shall so act, he shall be guilty of a Misdemeanor.

Not necessary to dissolve Parliament on any future Demise of the Crown.

51. Whereas great Inconvenience may arise from the Enactments now in force limiting the Duration of the Parliament in being at the Demise of the Crown: Be it therefore enacted, That the Parliament in being at any future Demise of the Crown shall not be determined or dissolved by such Demise, but shall continue so long as it would have continued but for such Demise, unless it should be sooner prorogued or dissolved by the Crown, anything in the Act passed in the Sixth Year of Her late Majesty Queen *Anne*, Chapter Seven, in any way notwithstanding.

Members holding Offices of Profit from the Crown, as in Schedule (H.), not required to vacate their Seats on Acceptance of another Office.

52. Whereas it is expedient to amend the Law relating to Offices of Profit the Acceptance of which from the Crown vacates the Seats of Members accepting the same, but does not render them incapable of being re-elected: Be it enacted, That where a Person has been returned as a Member to serve in Parliament since the Acceptance by him from the Crown of any Office described in Schedule (H.) to this Act annexed, the subsequent Acceptance by him from the Crown of any other Office or Offices described in such Schedule in lieu of and in immediate Succession the one to the other shall not vacate his Seat.

Copy of Reports of Commissioners as to Boroughs herein named, and printed by

53. Any Copy of any of the said Reports by the said Commissioners appointed for the Purpose of making Inquiry into the Existence of corrupt Practices in any of the said Boroughs of *Totnes*, *Great Yarmouth*, *Lancaster*, or *Reigate*, with the Schedules thereof annexed, and purporting to be printed by the Queen's Printer, shall for the Purposes of this Act be deemed to be sufficient

Evidence

Evidence of any such Report of the said Commissioners, and of the Schedules annexed thereto. Queen's Printer, to be Evidence.

54. Where separate Registers of Voters have been directed to be made in respect of the Divisions of the Borough and Counties divided by this Act into Two Divisions only, if a Vacancy take place in the Representation of the said County or Borough before the summoning of a future Parliament, and after the Completion of such separate Registers, such last-mentioned Registers shall, for the Purpose of any Election to fill up such Vacancy, be deemed together to form the Register for the Borough or County; and in the Case of a County divided into more than Two Divisions the Clerk of the Peace shall, from the separate Registers, make out a Register of Voters for the County or original Division of the County in which the Election may be about to take place, in the same Manner as if no new Division or Divisions of such County had been made by this Act. Provision in case of separate Registers.

55. Nothing in this Act contained shall affect the Rights of Persons whose Names are for the Time being on the Register of Voters for any County in which the Boroughs constituted by this Act are situate to vote in any Election for such County in respect of any Vacancy that may take place before the summoning of a future Parliament, but after such summoning no Person shall be entitled to be registered as a Voter or to vote in any Election for any such County who would not be entitled to be so registered or to vote in case the Qualifications held by him were situate in a Borough other than One constituted by this Act. Temporary Provisions consequent on Formation of new Boroughs.

In the Case of a Parish wholly or partly situate within the Limits of a Borough constituted by this Act, the Revising Barrister in revising at any Time before the summoning of a future Parliament the List of Voters for the County in which such Parish is situate shall write the Word "Borough" opposite to the Name of each Voter whose Qualification in respect of the Premises described in the List would not, after the summoning of a future Parliament, entitle such Voter to vote for the County; and at any Election taking place after the summoning of a future Parliament the Vote of every Person against whose Name the Word "Borough" is written, if tendered in respect of such Qualification, shall be rejected by the Returning Officer.

56. The Franchises conferred by this Act shall be in addition to and not in substitution for any existing Franchises, but so that no Person shall be entitled to vote for the same Place in respect General Saving.

respect of more than One Qualification; and, subject to the Provisions of this Act, all Laws, Customs, and Enactments now in force conferring any Right to vote, or otherwise relating to the Representation of the People in *England* and *Wales*, and the Registration of Persons entitled to vote, shall remain in full Force, and shall apply, as nearly as Circumstances admit, to any Person hereby authorized to vote, and shall also apply to any Constituency hereby authorized to return a Member or Members to Parliament as if it had heretofore returned such Members to Parliament and to the Franchises hereby conferred, and to the Registers of Voters hereby required to be formed.

As to Issue of Writs to County Palatine of Lancaster.

57. From and after the passing of this Act, the County Palatine of *Lancaster* shall cease to be a County Palatine, in so far as respects the Issue, Direction, and Transmission of Writs for the Election of Members to serve in Parliament for any Division of the said County or for any Borough situate in the said County; and such Writs may be issued under the same Seal, be directed to the like Officer, and transmitted in the like Manner, under, to, and in which Writs may be issued, directed, and transmitted in the Case of Divisions of Counties and Boroughs not forming Part of or situate in a County Palatine; and any Writ issued, directed, and transmitted in manner directed by this Section shall be valid accordingly.

Writs, &c. to be made conformable to this Act.

58. All Writs to be issued for the Election of Members to serve in Parliament, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs or relating to the Registration of Voters, shall be framed and expressed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

This Act, as far as consistent, to be construed with Enactments now in force.

59. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the Enactments for the Time being in force relating to the Representation of the People and with the Registration Acts; and in construing the Provisions of the Twenty-fourth and Twenty-fifth Sections of the Act of the Second Year of King *William* the Fourth, Chapter Forty-five, the Expressions "the Provisions herein-after contained," and "as aforesaid," shall be deemed to refer to the Provisions of this Act conferring Rights to vote as well as to the Provisions of the said Act.

In event of Dissolution of Parlia-

60. Notwithstanding anything in this Act contained, in the event of a Vacancy in the Representation of any Constituency, or of a Dissolution of Parliament taking place, and a Writ or Writs being

being issued, before the First Day of *January* One thousand eight hundred and sixty-nine for the Election of Members to serve in the present or any new Parliament, each Election shall take place in the same Manner in all respects as if no Alteration had been made by this Act in the Franchises of Electors, or in the Places authorized to return a Member or Members to serve in Parliament, with this Exception, that the Boroughs by this Act disfranchised shall not be entitled to return Members to serve in any such new Parliament.

ment before Jan. 1, 1869, Elections to take place as heretofore, except as to Boroughs disfranchised.

61. The following Terms shall in this Act have the Meanings herein-after assigned to them, unless there is something in the Context repugnant to such Construction; (that is to say,)

Interpretation of Terms:

"Month" shall mean Calendar Month: "Month:"

"Member" shall include a Knight of the Shire: "Member:"

"Election" shall mean an Election of a Member or Members to serve in Parliament: "Election:"

"County" shall not include a County of a City or County of a Town, but shall mean any County, Riding, Parts or Divisions of a County returning a Member or Members to serve in Parliament: "County:"

"Borough" shall mean any Borough, City, Place, or Combination of Places, not being a County as herein-before defined, returning a Member or Members to serve in Parliament: "Borough:"

"Dwelling House" shall include any Part of a House occupied as a separate Dwelling, and separately rated to the Relief of the Poor: "Dwelling House:"

"The Registration Acts" shall mean the Act of the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, and the Act of the Twenty-eighth Year of the Reign of Her present Majesty, Chapter Thirty-six, and any other Acts or Parts of Acts relating to the Registration of Persons entitled to vote at and Proceedings in the Election of Members to serve in Parliament for *England* and *Wales*. "The Registration Acts:"

SCHEDULES.

SCHEDULE (A.)

Boroughs to return One Member only in future Parliaments.

Honiton.	Knaresborough.	Lewes.
Thetford.	Andover.	Cirencester.
Wells.	Leominster.	Bodmin.
Evesham.	Tewkesbury.	Great Marlow.
Marlborough.	Ludlow.	Devizes.
Harwich.	Ripon.	Hertford.
Richmond.	Huntingdon.	Dorchester.
Lymington.	Maldon.	Lichfield.
Chippenham.	Buckingham.	Cockermouth.
Bridport.	Newport (Isle of Wight).	Bridgnorth.
Stamford.	New Malton.	Guildford.
Chipping Wycombe.	Tavistock.	Chichester.
Poole.		Windsor.

SCHEDULE (B.)

New Boroughs.

County.	Places to be Boroughs.	Temporary Contents or Boundaries.
Middlesex - -	Chelsea -	Parishes of— Chelsea. Fulham. Hammersmith. Kensington.
Durham - -	Darlington -	Townships of— Darlington. Haughton-le-Skerne. Cockerton.
	The Hartlepools	Municipal Borough of Hartlepool. Townships of— Throston. Stranton. Seaton Carew.
	Stockton -	Municipal Borough of Stockton, and the Township of Thornaby.
Kent - -	Gravesend -	Parishes of— Gravesend. Milton. Northfleet.

Representation of the People.

County.	Places to be Boroughs.	Temporary Contents or Boundaries.
LANCASHIRE -	Burnley -	Townships of— Burnley. Habergham Eaves.
LANCASHIRE AND CHESHIRE.	Staleybridge -	Municipal Borough of Staleybridge. Remaining Portion of Township of Dukinfield. Township of Stalley. The District of the Local Board of Health of Mossley.
STAFFORDSHIRE -	Wednesbury -	Parishes of— Wednesbury. West Bromwich Tipton.
YORKSHIRE, NORTH RIDING.	Middlesborough	Township of Linthorpe, and so much of the Townships of Middlesborough, Ormesby, and Eston as lie to the North of the Road leading from Eston towards Yarm.
DO. WEST RIDING	Dewsbury -	The Townships of— Dewsbury. Batley. Soothill.

SCHEDULE (C.)

New Boroughs formed by Division of the Borough of the Tower Hamlets.

Name of Borough.	Places comprised in the Borough.
BOROUGH OF TOWER HAMLETS - -	The Parish of St. George's-in-the-East. The Hamlet of Mile End Old Town. The Poplar Union. The Stepney Union. The Whitechapel Union. The Tower of London.
BOROUGH OF HACKNEY -	The Parish of St. John, Hackney. The Parish of St. Matthew, Bethnal Green. The Parish of St. Leonard, Shoreditch.

SCHE-

SCHEDULE (D.)

Counties to be divided.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
CHESHIRE -	North Cheshire	The Hundred of— Macclesfield.	Macclesfield.
	Mid Cheshire	The Hundreds of— Bucklow, and Northwich.	Knutsford.
	South Cheshire	The Hundreds of— Broxton, Eddisbury, Nantwich, and Wirrall, And also the City and County of the City of Chester.	Chester.
DERBYSHIRE -	North Derbyshire.	The Hundred of— High Peak, and The Wapentake of Worksworth.	Bakewell.
	South Derbyshire.	The Hundreds of— Repton and Gresley, Morleston and Litchurch, and Appletree.	Derby.
	East Derbyshire.	The Hundred of— Scarsdale.	Chesterfield.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
DEVONSHIRE -	North Devonshire.	The Hundreds of— Bampton, Braunton, Crediton, Fremington, Halberton, Hartland, Hayridge, Hemyock, North Tawton, Shebbear, Sherwill, South Molton, Tiverton, Winkleigh, Witheridge, and West Budleigh.	South Molton.
	East Devonshire.	The Hundreds of— Axminster, Cliston, Colyton, East Budleigh, Exminster, Ottery St. Mary, Haytor, Teignbridge, and also The Castle of Exeter and the Hundred of Wonford, except such Parts of the Hundred as are included in the Limits of the City and County of Exeter by the 2nd and 3rd Will. IV. Cap. 64.	Castle of Exeter.
	South Devonshire.	The Hundreds of— Black Torrington, Ermington, Lifton, Plympton, Roborough, Stanborough and Coleridge, and Tavistock.	Plymouth.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
Essex - -	North West Essex.	The Hundreds of— Freshwell, Uttlesford, Clavering, Dunmow, Harlow, Waltham, Ongar, and Chelmsford.	Chelmsford.
	North East Essex.	The Hundreds of— Hinckford, Lexden, Tendring, Winstree, Witham, Thurstable, and Dengie.	Braintree.
	South Essex -	The Hundreds of— Becontree, Chafford, Barstable, and Rochford, With the Liberty of Havering.	Brentwood.
West Kent -	West Kent -	The Lathe of Sutton at Hone.	Blackheath.
	Mid Kent -	Remainder of the Division	Maidstone.
North Lancashire.	North Lancashire.	The Hundreds of— Lonsdale, Amounderness, and Leyland.	Lancaster.
	North East Lancashire.	The Hundred of— Blackburn.	Blackburn.
South Lancashire.	South East Lancashire.	The Hundred of— Salford.	Manchester.
	South West Lancashire.	The Hundred of— West Derby.	Liverpool.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
LINCOLN -	North Lincolnshire.	The Wapentakes, Hundreds, or Sokes of— Manley, Yarborough, Bradley Haverstoe, Ludborough, Walshcroft, Aslacoe, Corringham, Louth Eske, and Calceworth, So much as lies within Louth Eske.	Glanford Brigg.
	Mid Lincolnshire.	The Wapentakes, Hundreds, or Sokes of— Well, Lawress, Wraggoe, Gartree, Candleshoe, Calceworth, Except so much as lies within the Hundred of Louth Eske, Hill, Bolingbroke, Horncastle, Boothby Graffoe, and Langoe and Lincoln Liberty.	Lincoln.
	South Lincolnshire.	The Wapentakes, Hundreds, or Sokes of— Loveden, Flaxwell, Aswardhurn, Winnibriggs and Threo, Aveland, Beltisloe, Ness, Grantham Soke, Skirbeck, Kirton, and Holland Elloe.	Sleaford.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
NORFOLK -	West Norfolk	The Hundreds of— Wayland, Launditch, South Greenhoe, Gallow, Brothercross, Smithdon, Freebridge Lynn, Freebridge Marshland, Clackclose, and Grimshoe.	Swaffham.
	North East Norfolk.	The Hundreds of— East Flegg, West Flegg, Happing, Tunstead, Erpingham (North), Erpingham (South), Eynsford, Holt, and North Greenhoe.	Aylsham.
	South East Norfolk.	The Hundreds of— Walsham, Blofield, Henstead, Humbleyard, Loddon, Clavering, Diss, Deepwade, Earsham, Guiltcross, Shropham, Taverham, Forehoe, and Mitford.	Norwich.
SOMERSETSHIRE.	East Somerset	The existing Sessional Divisions of— Long Ashton, Keynsham, Weston,	Bath.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
SOMERSETSHIRE—*cont.*	East Somerset —*cont.*	Axbridge, and Temple Cloud, As established by virtue of the Order of Her Majesty's Justices of the Peace for the County of Somerset, and also all such other Places in the said County as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.	
	Mid Somerset	The existing Sessional Divisions of— Crewkerne, Yeovil, Somerton, Shepton Mallet, Wincanton, Wells, Frome, and Kilmersdon, As established by virtue of the Order of Her Majesty's Justices of the Peace for the said County of Somerset, and also all such other Places in the said County as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.	Wells.
	West Somerset	The existing Sessional Divisions of— Dunster, Dulverton, Williton, Wiveliscombe, Bishop's Lydeard,	Taunton.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
SOMERSETSHIRE—*cont.*	West Somerset —*cont.*	Wellington, Taunton, Bridgwater, and Ilminster, As established by virtue of the Order of Her Majesty's Justices of the Peace for the said County of Somerset, and also all such other Places as are locally situated within or are surrounded by the said Sessional Divisions, or any of them, and are not mentioned in the said Order.	
STAFFORDSHIRE.	North Staffordshire.	The Hundreds of— Totmonslow and Pirehill, North.	Stoke-upon-Trent.
	West Staffordshire.	The Hundreds of— Pirehill, South, Cuttlestone, and Seisdon.	Stafford.
	East Staffordshire.	The Hundreds of— Offlow (North). Offlow (South).	Lichfield.
EAST SURREY	East Surrey -	The Hundred of— Tandridge, and So much of the Hundred of Wallington as includes and lies to the East of the Parishes of Croydon and Sanderstead, and so much of the Hundred of Brixton as includes and lies to the East of the Parishes of Streatham, Clapham, and Lambeth.	Croydon.
	Mid Surrey -	The Remainder of the present Division.	Kingston-upon-Thames.

Representation of the People.

Name of County to be divided.	Division.	Parts temporarily comprised in such Division.	Places temporarily appointed for holding Courts for Election of Members.
YORKSHIRE, WEST RIDING.	Northern Division.	The Hundreds of— Ewecross and Staincliffe, Claro, Skyrack, Barkstone Ash, and Osgoldcross.	Leeds.
	Mid Division	The Hundred of— Morley.	Bradford.
	Southern Division.	The Hundreds of— Agbrigg, Strafforth and Tickhill, and Staincross.	Wakefield.

SCHEDULE (E.)

To *A.B.*

City [*or* Borough of]

Take Notice that you will not be entitled to have your Name inserted in the List of Voters for this City [*or* Borough] now about to be made in respect of the Premises in your Occupation in [*Street or Place*] unless you pay on or before the Twentieth Day of July next all the Poor Rates which have become due from you in respect of such Premises up to the Fifth Day of January last, amounting to £

and if you omit to make such Payment you will be incapable of being on the next Register of Voters for this City [*or* Borough].

Dated the Day of June 18 .

C.D., *E.F.* } Overseers,
or
G.H. { Assistant Overseer,
or
I.K. Collector.

SCHE-

SCHEDULE (G.)

Form No. 1.

Claim of Lodger.

Borough of .

To the Overseers of the Parish of .

I hereby claim to be inserted in the List of Voters in respect of the Occupation of the under-mentioned Lodgings, and the Particulars of my Qualification are stated in the Columns below:

Christian Name and Surname at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

I the above-named hereby declare that I have been during the Twelve Months immediately preceding the last Day of July in this Year the Occupier as sole Tenant of the above-mentioned Lodgings, and that I have resided therein during the Twelve Months immediately preceding the said last Day of July, and that such Lodgings are of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards.

Dated the Day of

Signature of Claimant _____

Witness to the Signature of the said _____

And I certify my Belief in the Accuracy of the above Claim. _____

Name of Witness _____

Residence and Calling _____

This Claim must bear Date the First Day of August or some Day subsequent thereto, and must be delivered to the Overseers after the last Day of July, and on or before the Twenty-fifth Day of August.

Form

Form No. 2.

List of Claimants in respect of Lodgings to be published by the Overseers.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of _____

Christian Name and Surname of each Claimant at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

(Signed) *A.B.*, *C.D.*, *E.F.* } Overseers of, *&c.*

SCHEDULE (H.)

Offices of Profit referred to in this Act.

Lord High Treasurer.

Commissioner for executing the Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland.

President of the Privy Council.

Vice-President of the Committee of Council for Education.

Comptroller of Her Majesty's Household.

Treasurer of Her Majesty's Household.

Vice-Chamberlain of Her Majesty's Household.

Equerry or Groom in Waiting on Her Majesty.

Any Principal Secretary of State.

Chancellor and Under Treasurer of Her Majesty's Exchequer.

Paymaster General.

Postmaster General.

Lord High Admiral.

Commissioner for executing the Office of Lord High Admiral.

Commissioner of Her Majesty's Works and Public Buildings.

President of the Committee of Privy Council for Trade and Plantations.

Chief Secretary for Ireland.

Commissioner for administering the Laws for the Relief of the Poor in England.

Chancellor of the Duchy of Lancaster.

Judge Advocate General.

Attorney General for England.

Solicitor General for England.

Lord Advocate for Scotland.

Solicitor General for Scotland.

Attorney General for Ireland.

Solicitor General for Ireland.

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VICTORIÆ REGINÆ.

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3. Any Mill, Forge, or other Premises in or on which any Process is carried on for converting Iron into Malleable Iron, Steel, or Tin Plate, or for otherwise making or converting Steel (which Mills, Forges, and other Premises are herein-after referred to as Iron Mills):

4. Iron Foundries, Copper Foundries, Brass Foundries, and other Premises or Places in which the Process of Founding or Casting any Metal is carried on:

5. Any Premises in which Steam, Water, or other mechanical Power is used for moving Machinery employed—
   (a.) In the Manufacture of Machinery:
   (b.) In the Manufacture of any Article of Metal not being Machinery:
   (c.) In the Manufacture of India-rubber or Gutta-percha, or Articles made wholly or partly of India-rubber or Gutta-percha:

6. Any Premises in which any of the following Manufactures or Processes are carried on; namely,
   (a.) Paper Manufacture:
   (b.) Glass Manufacture:
   (c.) Tobacco Manufacture:
   (d.) Letterpress Printing:
   (e.) Book-binding:

7. Any Premises, whether adjoining or separate, in the same Occupation, situate in the same City, Town, Parish, or Place, and constituting One Trade Establishment, in, on, or within the Precincts of which Fifty or more Persons are employed in any manufacturing Process:

And every Part of a Factory shall be deemed to be a Factory, except such Part, if any, as is used exclusively as a Dwelling:

"Manufacturing Process."

"Manufacturing Process" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, ornamenting, finishing, or otherwise adapting for Sale any Article.

Definition of "Factory Acts."

4. The Factory Acts shall in this Act mean the Fourth and Fifth Sections of "The Factory Acts Extension Act, 1864," relating to Sanitary Measures and Special Rules, and such Provisions as are now in force of the Acts following:

An Act passed in the Fourth Year of the Reign of His late Majesty *William* the Fourth, Chapter One hundred and three, intituled *An Act to regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom*, which henceforth may be cited for all Purposes as "The Factory Act, 1833;"

An

Factory Acts Extension.

An Act passed in the Seventh Year of the Reign of Her present Majesty, Chapter Fifteen, intituled *An Act to amend the Laws relating to Labour in Factories*, which henceforth may be cited for all Purposes as "The Factory Act, 1844;"

An Act passed in the Fourteenth Year of the Reign of Her present Majesty, Chapter Fifty-four, intituled *An Act to amend the Acts relating to Labour in Factories*, which henceforth may be cited for all Purposes as "The Factory Act, 1850;"

An Act passed in the Seventeenth Year of the Reign of Her present Majesty, Chapter One hundred and four, intituled *An Act further to regulate the Employment of Children in Factories*, which henceforth may be cited for all Purposes as "The Factory Act, 1853;" and

"The Factory Act, 1856."

Exemptions from Provisions of this Act and Schedule annexed.

5. There shall be excluded from the Provisions of this Act and of the Schedule annexed hereto,—

1. Any Buildings or Premises defined to be a Factory by the Factory Act, 1844, and subject to the Regulations of that Act and of the Acts directed to be construed as one therewith:
2. Any Printwork as defined by the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Twenty-nine, intituled *An Act to regulate the Labour of Children, Young Persons, and Women in Printworks*, and subject to the Regulations of that Act and of the Act amending the same:
3. Any Buildings or Premises defined to be "Bleaching Works" or "Dyeing Works" by the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-eight, intituled *An Act to place the Employment of Women and Young Persons and Children in Bleaching Works and Dyeing Works under the Regulations of the Factory Acts*, or any Acts amending the same:
4. Any Lace Factories subject to the Provisions of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter One hundred and seventeen, and intituled *An Act to place the Employment of Women, Young Persons, Youths, and Children in Lace Factories under the Regulations of the Factory Acts*, and of the Acts therein recited:
5. Any Bakehouse as defined by "The Bakehouse Regulation Act, 1863:"
6. Any Factory subject to the Provisions of the Factory Acts Extension Act, 1864.

6. The

Application of Factory Acts to Factories not included in such Acts.

6. The Factory Acts as herein-before defined shall be incorporated with this Act, and, subject to the Modifications mentioned in the Schedule annexed hereto, shall, from and after the First Day of *January* One thousand eight hundred and sixty-eight, be in force in every Factory which is not excluded from the Operation of this Act.

Restrictions as to Employment of Children, Young Persons, and Women in certain Factories.

7. 1. No Child, Young Person, or Woman shall be employed on *Sunday* in or about any Factory, subject to the Modifications in the Schedule as regards Blast Furnaces:

2. No Boy under the Age of Twelve Years, and no Female, shall be employed in any Part of a Glass Factory in which the Process of melting or annealing Glass is carried on:

3. No Child under the Age of Eleven Years shall be employed in grinding in the Metal Trades:

And any Child, Young Person, or Woman who is employed in contravention of this Section shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Meals not to be taken in certain Parts of Glass Factory.

8. In the Manufacture of Glass, no Child, Young Person, or Woman shall be allowed to take his or her Meals in any Part of the Factory where the Materials are mixed, or in the Manufacture of Flint Glass where the Work of grinding, cutting, and polishing is carried on; and any Child, Young Person, or Woman allowed to take his or her Meals in contravention of the said Provision shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Extension of Provision relating to Ventilation in Factories.

9. In every Factory where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to any Inspector of Factories that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Inspector to direct a Fan or other mechanical Means, of such Construction as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State, to be provided by the Occupier of the Factory within a reasonable Time; and if such Occupier fail to comply with such Direction he shall be deemed to have failed to have kept his Factory in conformity with the Fourth Section of "The Factories Act Extension Act, 1864," and shall be punishable accordingly.

Penalty on not fixing Grindstones securely.

10. If it appears to any Inspector that any Grindstone, worked by Steam or other mechanical Power in any Factory, is fixed in so faulty a Manner as to be likely to cause bodily Injury to the Grinder using the same, such Inspector shall take the same Proceedings as nearly as may be as he is required to take by "The Factory

Factory Act, 1844," with respect to Machinery not securely fenced; and the Occupier of the Factory shall be liable to the same Penalties for not properly fixing the said Grindstone as he would be liable to under the said Act in respect of any Machinery found to be not properly fenced.

Inspectors or Sub-Inspectors to be furnished with Certificates of Appointment as Secretary of State may direct.

11. Every Inspector or Sub-Inspector of Factories shall be furnished with such Certificate of his Appointment as the Secretary of State may direct, and on applying for Admission to any Factory such Inspector or Sub-Inspector shall, if required, produce to the Occupier the said Certificate.

Every Person who forges or counterfeits any such Certificate, or makes use of any forged, counterfeited, or false Certificate, or falsely pretends to be an Inspector or Sub-Inspector of Factories, shall be guilty of a Misdemeanor, and be liable to be imprisoned for any Period not exceeding Three Months, with or without Hard Labour.

Rule as to Number of Persons employed to constitute a Factory.

12. Fifty or more Persons shall for the Purposes of this Act be deemed to continue to be employed in any Factory during the Year One thousand eight hundred and sixty-eight and any succeeding Year, if that Number of Persons has during the preceding Year been employed in any manufacturing Process in such Factory for any Period or Periods amounting in the whole to One hundred Days; and in any Proceedings taken by any Inspector or Sub-Inspector of Factories for the Purpose of enforcing this Act, any Premises in or on which a manufacturing Process is carried on shall, until the contrary is proved, be deemed to be a Factory.

Exception as to founding and casting Metals.

13. Any Premises or Places on which the Process of founding or casting any Metal is carried on by not more than Five Persons, and as subsidiary to the Repair or Completion of some other Work, shall not, by reason only of such founding or casting, be deemed to be a Factory within the Meaning of this Act.

Power to Secretary of State to substitute other Regulations as to Surgical Certificates.

14. In Blast Furnaces and Iron Mills, One of Her Majesty's Principal Secretaries of State may, by Order under his Hand, dispense with so much of the said Factory Acts as relates to Surgical Certificates given by a certifying Surgeon, and substitute therefor such other Regulations as to Proof of the Age of Children and Young Persons, and of their bodily Health and Capacity for working daily for the Time allowed by the said Acts, as he may think expedient, and any Regulation so made by the Secretary of State shall be of the same Force as if they had been enacted in the Factory Acts in place of the Regulations for which they are so substituted.

15. The

Factory Acts Extension.

Power to Occupier of Blast Furnace or Iron Mill to make special Rules.

15. The Occupier of a Blast Furnace or of an Iron Mill may, with the Approval provided by the Fifth Section of "The Factory Acts Extension Act, 1864," make Rules for compelling the Observance amongst his Workmen of any of the Provisions of the Factory Acts in respect of the Infringement of which such Occupier is liable to a Penalty, and such Rules shall be deemed to be special Rules within the Meaning of the said Fifth Section, and all the Provisions of the said Section shall apply accordingly.

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SCHEDULE.

TEMPORARY MODIFICATIONS.

1. During the First Six Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Eleven Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

2. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Twelve Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

3. During the First Twelve Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children, Young Persons, and Women may be employed on Saturdays until Half past Four o'Clock in the Afternoon.

4. So much of the Factory Acts as provides that during any Time allowed for Meals no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on, and that all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, shall not be in force with respect to any Factory to which this Act applies until the Expiration of Eighteen Months after the First Day of January One thousand eight hundred and sixty-eight.

5. Where the Occupier of any Paper Mill proves to the Satisfaction of One of Her Majesty's Principal Secretaries of State that such Occupier was at the Time of the passing of this Act employing, and had for not less than a Year previously to such passing employed, Young Persons and Women at Night, and further proves that he cannot without a considerable Interval of Time alter his Machinery so as to dispense with such Employment, it shall be lawful for the said Secretary of State, by Order, to authorize the Employment by such Occupier, until some Day not later than the First Day of June One thousand eight hundred and sixty-nine, of Young Persons and Women in such Manner and for such Times as had previously been customary in the said Paper Mill.

6. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Male Young Persons of

of not less than Sixteen Years of Age may be employed in Blast Furnaces, in Iron Mills, in Iron Foundries, in Paper Mills, and in any Factory where the Manufacture of Machinery or the Processes of Letterpress Printing or Bookbinding are carried on in the same Manner as if they were Male Persons exceeding the Age of Eighteen Years.

7. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Women may be employed in or about Blast Furnaces in the same Manner as they were employed in or about such Furnaces before the passing of this Act.

8. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children, Young Persons, and Women may be employed in the Manufacture of Preserves from Fruit in the same Manner as they were employed therein before the passing of this Act.

PERMANENT MODIFICATIONS.

9. The Twenty-ninth Section of "The Factory Act, 1833," and the Eighteenth Section of "The Factory Act, 1844," relating to the lime-washing and washing of Factories, shall not be in force as respects any Factory.

10. No Factory shall be so overcrowded, while Work is carried on, as to be dangerous or prejudicial to the Health of those employed therein, and so far as relates to any Factory this Section shall be construed as Part of the Fourth and Fifth Sections of the Factory Acts Extension Act, 1864.

11. Whereas the Customs or Exigencies of certain Trades require that Male Young Persons of the Age of Sixteen Years and upwards should be occasionally employed beyond the Hours allowed by the Factory Acts: It shall be lawful for One of Her Majesty's Principal Secretaries of State, on due Proof to his Satisfaction that such Customs or Exigencies exist, and that such occasional Employment is not injurious to the Health of such Male Young Persons, from Time to Time, by Order to be advertised in the London Gazette, or otherwise published in such Manner as he may think fit, to give Permission that in the Case of any particular Factory or Class of Factories Male Young Persons of Sixteen Years of Age and upwards may be employed for a Period not exceeding Fifteen Hours on any One Day:

Provided that—

1st. They are not so employed except between the Hours of Six in the Morning and Nine in the Evening.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Five in the Evening.

3d. They are not so employed for more than Twelve Days in any Period of Four Weeks, nor on the whole for more than Seventy-two Days in any Period of Twelve Months.

12. Whereas

Factory Acts Extension.

12. Whereas the Customs or Exigencies of certain Trades require that the Children, Young Persons, and Women working in a Factory, or in certain Processes in a Factory, or that certain Sets of such Children, Young Persons, or Women, or any of them, should be employed at different Hours, and that the Limits of Time within which they or certain Sets of them may be employed should be extended without increasing their legal Hours of Work: It is hereby declared that on due Proof to the Satisfaction of One of Her Majesty's Principal Secretaries of State of such Customs or Exigencies existing in a Trade, it shall be lawful for the said Secretary from Time to Time, by Order to be advertised in the London Gazette or otherwise published in such Manner as the Secretary of State may think fit, to give Permission that in the Case of any particular Factory or Class of Factories in which such Trade is carried on the Occupier may employ the Children, Young Persons, and Women working in his Factory, or in any Processes of his Factory, or any Sets of such Children, Young Persons, or Women, or of any of them, between the Hours of Seven in the Morning and Seven in the Evening, or between the Hours of Eight in the Morning and Eight in the Evening, instead of between the Hours of Six in the Morning and Six in the Evening, for any Time in such Order specified, or until further Order, or on any Day or Days named in such Order; and so far as respects the Persons referred to in any Order given as aforesaid, all the Provisions of the Factory Acts affected by such Change of Hours shall, during the Continuance of such Order, be read as if the Hours of Seven in the Morning and Seven in the Evening, or Eight in the Morning and Eight in the Evening, as Circumstances may require, were throughout such Act substituted for the Hours of Six in the Morning and Six in the Evening:

Provided—

1st. That Notice of the Hours between which Children, Young Persons, and Women, or each Set of them, are to be employed, in such Form as the Inspectors of Factories may direct, and signed by One of such Inspectors and the Occupier or his Agent, shall be hung up and be kept hung up during the Period affected by such Notice in such conspicuous Place in the Factory as may be required by One of the Inspectors of Factories.

2dly. Except in pursuance of the Provisions contained in other Parts of this Act, no Child, Young Person, or Woman shall be employed after the Hour of Two o'Clock in the Afternoon on Saturday; but it shall be lawful in Cases where any Children, Young Persons, or Women are employed in accordance with an Order given under the foregoing Enactment to begin to employ such Children, Young Persons, or Women at Six o'Clock in the Morning on Saturday.

13. In Letterpress Printing Male Young Persons of the Age of Sixteen Years and upwards may be employed for a Period not exceeding Fifteen Hours in any One Day:

Provided that—

1st. They shall not be so employed except between the Hours of Six in the Morning and Nine in the Evening, or in any Factory where Permission has been given by the Secretary of State to work between the Hours of Seven in the Morning and Seven in the

Evening, or of Eight in the Morning and Eight in the Evening, then except between the Hours of Seven in the Morning and Ten in the Evening, or of Eight in the Morning and Eleven in the Evening, as the Case may be.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They shall not be so employed except on alternate Days.

4th. In every Week in which they are so employed on each alternate Day they shall be allowed either One whole Holiday or Two Half Holidays, each Half Holiday comprising at least One Half of an ordinary working Day.

In Letterpress Printing Male Young Persons of Sixteen Years of Age and upwards may work on alternate Weeks at Night between the Hours of One in the Morning on Monday and Eleven in the Evening on the succeeding Saturday:

Provided—

1st. That they are not employed for more than Eleven and a Half Hours at any One Time, with Intervals of Rest for Meals amounting in the whole to not less than One Hour and a Half.

2d. That there is an Interval of Twelve Hours between each Period of Employment.

3d. That the total Number of Hours of Work in any One Week do not exceed Sixty Hours.

14. Young Persons of Fourteen Years of Age and upwards and Women may be employed in Bookbinding for a Period not exceeding Fourteen Hours on any One Day:

Provided that—

1st. They shall not be so employed except between the Hours of Six in the Morning and Eight in the Evening, or where Permission has been given by the Secretary of State to work between the Hours of Seven in the Morning and Seven in the Evening, or of Eight in the Morning and Eight in the Evening, then except between the Hours of Seven in the Morning and Nine in the Evening, or Eight in the Morning and Ten in the Evening, as the Case may be.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They shall not be so employed—

(*a.*) If less than Sixteen Years of Age, for more than Three Days in any One Month; or

(*b.*) If Sixteen Years of Age or upwards, for more than Ninety-six Days in any Period of Twelve Months, or for more than Five consecutive Days in any One Week.

15. Where, under the Modifications contained in the Schedule to this Act, any Child, Young Person, or Woman is employed on any Day for a longer Period than is allowed by the Factory Acts, the Day on which and the Period during which he or she is so employed shall be entered by the Occupier

Occupier of a Factory in a Register, which shall be in such Form as the Inspectors of Factories may direct, and shall be deemed to be a Register within the Meaning of the Factory Acts.

16. So much of the said Factory Acts as provide that during any Time allowed for Meals no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on shall not apply to Iron Mills, to Paper Manufactories, or any Factory in which Letterpress Printing is carried on, or, except as in this Act mentioned, to Glass Manufactories, or to any Factory or Process in a Factory to which the said Secretary of State may by Order declare the same to be inapplicable; and so much of the said Factory Acts as provide that all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day shall not apply to Blast Furnaces, Iron Mills, to Paper Manufactories, any Factory in which Letterpress Printing is carried on, to Glass Manufactories, or, except as in this Act mentioned, to any Factory, or Process in a Factory, to which the said Secretary of State may by Order declare the same to be inapplicable.

17. In Blast Furnaces, in Iron Mills, in any Factory in which Letterpress Printing is carried on, in Paper Mills, in any Factory in which the mechanical Power is Water, and in any Factory or Class of Factories, with respect to which One of Her Majesty's Principal Secretaries of State certifies by Order that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than Six Nights, or, in the Case of Blast Furnaces and Paper Mills, Seven Nights, in any Fortnight.

18. Where in any Blast Furnace, Iron Mill, Foundry, or Paper Mill the Process in which a Child, Young Person, or Woman is employed is in an incomplete State at the Hour at which such Child, Young Person, or Woman is required by this Act to cease Work, such Child, Young Person, or Woman may be employed for a Period not exceeding Thirty Minutes beyond the said Hour.

19. It shall not be necessary to give Notice to the certifying Surgeon of any Accident to a Person employed in any Iron Mill or Blast Furnace unless the Accident prevents the Person injured from returning to his Work for a Period of Forty-eight Hours from the Time of the Accident. When the Person injured shall have been absent for such Period of Forty-eight Hours, the actual Employer of the Person injured shall immediately report the Absence of such Person to the Occupier of the Factory; and if the Inspector or Sub-Inspector of Factories is satisfied that Notice of an Accident has not been given to the certifying Surgeon, owing to the Default of such actual Employer and not of the Occupier, he shall take Proceedings against such actual Employer instead of against the Occupier.

20. In

20. In the Case of any accidental Delay occurring in any Process in any Glass Works, in order to recover the Time so lost, any Male Child or Male Young Person may be employed One Hour more than the Time during which such Child or Young Person might otherwise be employed, provided that the total Number of Hours worked do not exceed Sixty in any One Week.

21. In the Process of making Glass it shall be lawful for any Male Young Person, subject to the Provisions of this Act, to work according to the accustomed Hours of the Trade:

Provided—

1st. That the Hours of Work do not exceed Sixty in any One Week, between Midnight on Sunday Night and Midnight on the succeeding Saturday Night.

2d. That the Hours of Work for any such Young Person do not exceed Fourteen Hours in Four separate Turns per Week, or Twelve Hours in Five separate Turns per Week, or Ten Hours in Six separate Turns per Week.

3d. That no such Young Person work in any Turn without an Interval of Time equal to One full Turn.

22. In Paper Mills it shall be lawful for any Male Young Person, subject to the Provisions of this Act, to work according to the accustomed Hours of the Trade:

Provided—

1st. That the Hours of Work do not exceed Sixty in any One Week, between Midnight on Sunday Night and Midnight on the succeeding Saturday Night.

2d. That the Hours of Attendance at the Mill of any such Young Person shall not in any Period of Twenty-four Hours exceed Fourteen Hours, and in case the Hours of Attendance exceed Twelve Hours such Young Person shall be allowed Half an Hour for a Meal in addition to the Time allowed under the Factory Acts for Meals.

23. So much of the said Factory Acts as require that in England and Ireland Male Young Persons must have Eight Half Holidays in every Year, in addition to Christmas Day and Good Friday, and in Scotland any Day wholly set apart for the Observance of the Sacramental Fast, and so much of the same Acts as forbid the Employment of Male Young Persons on any Saturday after Two o'Clock of the Afternoon, shall not apply to Male Young Persons employed in Day and Night Turns, changing every alternate Week, and so much of the same Acts as forbids the Employment of Women and Young Persons on any Saturday after Two of the Clock of the Afternoon shall not apply in any Week to any Woman or Female Young Person whose Hours of Work have not exceeded Eight in any Day of that Week.

24. Where it appears to One of Her Majesty's Principal Secretaries of State that the Regulations of the Factory Acts relating to the fencing of Machinery require to be modified in any particular Trade, and that such Modifications can be made with due regard to the Safety of the Children, Young Persons, and Women employed, he may, by Order with respect to any particular Factory

Factory or any Class of Factories, modify the said Regulations, so far as such Trade is concerned, upon such Terms and in such Manner as he thinks fit. Such Order shall be advertised in the London Gazette or otherwise published in such Manner as the Secretary of State may think fit. Any Regulations so modified by the said Secretary of State shall be of the same Validity as if they had been the original Regulations contained in the Factory Acts.

25. The said Secretary of State, on Proof to his Satisfaction that the Customs or Exigencies of the Trade require the Alteration to be made, may, by Order to be advertised in the London Gazette, or otherwise published in such Manner as the Secretary of State may think fit, give Permission, with respect to any particular Factory or Class of Factories, for any One or more of the following Things; namely,—

(*a.*) That Four whole Holidays in any Year may be allowed as a Substitute for the Eight Half Holidays required to be given to every Child, Young Person, and Woman by the Factory Acts; or,

(*b.*) That the Eight Half Holidays required to be given by the Factory Acts to all the Children, Young Persons, and Women employed may be given on different Days to any of the Children, Young Persons, and Women, or to any Sets of such Children, Young Persons, and Women, and not at the same Time; or,

(*c.*) That Children, Young Persons, or Women may be employed between Two and Eight o'Clock in the Afternoon on Saturday, provided that in any such Factory or Factories Arrangements are made to the Satisfaction of the said Secretary of State for giving on some Work-day in every Week, to every Child, Young Person, or Woman so employed, a Half Holiday of equal Length either at the Beginning or at the End of their Day's Work; or,

(*d.*) That in any Factory or Factories where such Secretary has given Permission to work between the Hours of Seven in the Morning and Seven in the Evening, or of Eight in the Morning and Eight in the Evening, Children, Young Persons, and Women may be employed on Saturday, or on any other Day on which the weekly Half Holiday is given, between the Hours of Seven in the Morning and Three in the Afternoon, or between Eight in the Morning and Four in the Afternoon; or,

(*e.*) That a Surgical Certificate given by a certifying Surgeon shall not be invalid solely on account of the Employment of the Child or Young Person named in such Certificate in a Factory other than that for which the Certificate was originally granted, if such Factory is within the District of the same certifying Surgeon.

(*f.*) That Male Young Persons of not less than Sixteen Years of Age may be employed in the same Manner as if they were Male Persons exceeding the Age of Eighteen Years.

26. Where the Occupier of any Factory is a Person of the Jewish Religion, and it is his Custom to keep such Factory closed on Saturdays until Sunset, it shall be lawful for him to employ Young Persons or Women on that Day from after Sunset until Nine o'Clock at Night.

Factory Acts Extension.

27. Where in any Factory the Owner or Hirer of any Machine or Implement moved by Steam, Water, or other mechanical Power, in or about or in connexion with which Machine or Implement Children, Young Persons, or Women are employed, is some Person other than the Occupier of the Factory, and such Children, Young Persons, or Women are in the Employment and Pay of the Owner or Hirer of such Machine, in any such Case such Owner or Hirer shall, so far as respects any Offence against the Factory Acts which may be committed in relation to such Children, Young Persons, or Women, be deemed to be the Occupier of the Factory.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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the furnishing of Accounts to the Commissioners of Her Majesty's Treasury by Railway Companies in *Ireland:*

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to call for Accounts of any Railway Company in Ireland.

1. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct any Railway Company in *Ireland* to furnish to them, on such Day as they shall appoint, a full and true Account of all Monies received and paid during a Period of Three Years previous to the Date of the last half-yearly Account of such Company on account of such Railway or of any Undertaking connected therewith (distinguishing, if the said Railway shall be a Branch Railway or one worked in common with other Railways, the Receipts, and giving an Estimate of the Expenses, on account of the said Railway, from those on account of the Trunk Line or other Railways,) by the Directors of the Company to whom such Railway belongs or by whom the same may be worked; and also an Account of the Assets and Liabilities of such Company, at such Time or Times during the said Period as the said Commissioners shall specify; and such Accounts shall be duly audited and certified under the Hands of Two or more of the Directors of such Company.

Power to Treasury to appoint Persons to inspect Accounts, &c. of Railway Companies in Ireland.

2. It shall be lawful for the Commissioners of Her Majesty's Treasury, if and when they shall think fit, to appoint any proper Person or Persons for all or any of the Purposes following; that is to say,

To inspect the Accounts and Books of any Railway Company in *Ireland* during the Period of Three Years previous to the Date of the last half-yearly Account of such Company;

To examine the Railway, Stations, Works, Buildings, Engines, Carriages, and other Property, of whatsoever Kind, belonging to any Railway Company in *Ireland;*

And any Person so appointed may at all reasonable Times, upon producing his Authority, if required, inspect the Books, Accounts, and Vouchers, and other Documents of such Company, at the principal Place of Business of such Company, and may take Copies or Extracts therefrom, and enter upon and examine the Railway or Railways, and the Stations, Works, and Buildings belonging to such Company, and may inspect the Engines and Carriages and other Property, of whatever Kind, belonging to such Company; and every such Person may call for the Production of any Books, Accounts, Vouchers, or Documents in the Possession or Power of such Company which he may think necessary for the Purpose of determining

determining any Question or Questions connected with the Inspection or Examination which he is authorized to make, and may examine any Person touching any Matters connected therewith on Oath, and may administer the Oaths necessary for that Purpose.

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Masters and Workmen.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty or Secretary of State to license Councils of Conciliation.

1. If any Number of Masters and Workmen, in any particular Trade or Trades, Occupation, or Employment, being Inhabitant Householders or Part Occupiers of any House, Warehouse, Counting-house, or other Property within any City, Borough, Town, Stewartry, Riding, Division, Barony, Liberty, or other Place, and who, being a Master in such Trade, shall have resided and carried on the same within any such Place for Six Calendar Months previous to the signing of such Petition, and being a Workman shall have resided for a like Period within any such Place, and shall have worked at his Trade or Calling for Seven Years previous to the signing of such Petition, shall at a Meeting specially convened for that Purpose agree to form a Council of Conciliation and Arbitration, and shall jointly petition Her Majesty to grant them a Licence to form such Council, to hold, have, and exercise all the Powers granted to Arbitrators and Referees under the before-recited Acts, and in such Petition for the same shall set forth the Number of the Council, and also the Names, Occupation, and Residence of the Petitioners, and the Manner in which the Expenses of the said Council and of the Registry herein-after directed are to be provided for, it shall then be lawful for Her Majesty, or Her Majesty's Principal Secretary of State for the Home Department, to grant such Licence, provided Notice of such Petition has been published One Month before the Application for such Licence in the *London Gazette*, and in One or more of the local Newspapers of the Place whence such Petition emanates: Provided always, that it shall be lawful for any Masters and Workmen in any particular Trade or Trades, Occupation, or Employment as aforesaid, within the Limits of the Application of the Metropolitan Local Management Act, or within any Two or more Boroughs or Districts of the Metropolis, to associate themselves for the Purposes of this Act, and with such Licence as aforesaid to form Councils as aforesaid, as if they resided within any One Borough or District.

Councils to consist of not less than 2 nor more than 10 Masters and Workmen, and a Chairman.

2. The said Council shall consist of not less than Two Masters and Two Workmen, nor more than Ten Masters and Ten Workmen, and a Chairman; the Number to constitute the said Council to be inserted in the Licence; but no Member of the Council shall adjudicate in any Case in which he or any Relation of his is Plaintiff or Defendant.

Petitioners for Council

3. For the Purposes of this Act, the Persons whose Names, Occupations, and Abodes are attached to the Petition praying for a Licence

Licence shall and they are hereby authorized to proceed to the Appointment of a Council of Conciliation and Arbitration from among themselves within Thirty Days after such Grant of Licence; and the said Council shall remain in Office until the Appointment of a new Council in its Stead. to elect First Council.

4. The Council shall have Power to appoint their own Chairman, Clerk, or such other Officer or Officers as they may deem requisite, and shall have Power to hear and determine all Questions of Dispute and Difference between Masters and Workmen, as set forth in the before-recited Act of the Fifth Year of King *George* the Fourth, Chapter Ninety-six, which may be submitted to them by both Parties, and shall have, hold, and exercise all the Powers and Authority granted to Arbitrators and Referees by and under the various Enactments and Provisions of the Acts before recited; and any Award the said Equitable Councils of Conciliation and Arbitration may make in any Case of Dispute or Difference submitted to them under the before-recited Act or Acts, or under this Act, shall be final and conclusive between the Parties to such Arbitration, without being subject to Review or Challenge by any Court or Authority whatsoever; and the said Council are hereby further authorized to adjudicate upon and determine any other Case of Dispute or Difference submitted to them by the mutual Consent of Master and Workman or Masters and Workmen, and the same Proceedings of Distress, Sale, and Imprisonment as are provided by the said recited Acts or any of them shall be had towards enforcing every such Award (by Application to any Justice of the Peace of the County, Stewartry, Riding, Division, Barony, City, Town, Burgh, or Place within which the Parties shall reside,) as are by the said recited Acts or any of them prescribed for enforcing Awards made under or by virtue of the Provisions of them or any of them, and any Award in Writing under the Hand of the Chairman of the Council shall be deemed sufficient Evidence of the Validity of such Award to authorize such Proceedings of Distress, Sale, and Imprisonment; but nothing in this Act contained shall authorize the said Council to establish a Rate of Wages or Price of Labour or Workmanship at which the Workman shall in future be paid. Powers, &c. of Councils.

5. A Quorum of not less than Three (One being a Master and another a Workman, and the Third the Chairman,) may constitute a Council for the hearing and Adjudication of Cases of Dispute, and may accordingly make their Award; but a Committee of Council, to be denominated the Committee of Conciliation, shall be appointed by the Council, consisting of One Master and One Workman, who shall sit at such Times as shall be appointed, and be renewed from Time to Time as Occasion shall require; and all Cases or Questions of Dispute Quorum to form Council; Committee of Conciliation to be appointed by Council.

Dispute which shall be submitted to the Council by both Parties shall in the first instance be referred to the said Committee of Conciliation, who shall endeavour to reconcile the Parties in difference; when such Reconciliation shall not be effected, the Matter in dispute shall be remitted to the Council, to be disposed of as a contested Matter in the regular Course.

Chairman to preside at Meetings of Council, and to have Casting Vote.

6. The Chairman of the Council, who shall be some Person unconnected with Trade, shall preside at their Meetings, and shall be appointed at their First Meeting after obtaining such Licence as aforesaid. When the Votes of the Council shall be equal, the Chairman for the Time being is to have the Casting Vote.

No Counsel, &c. to attend Hearings without Consent.

7. No Counsel, Solicitors, or Attornies to be allowed to attend on any Hearing before the Council or the Committee of Conciliation unless consented to by both Parties.

Council to be elected for One Year.

8. On the First *Monday* in *November* in the Year next after the First Appointment of the Council, and on the First *Monday* in *November* in each succeeding Year, a Council and Chairman shall be appointed, who shall remain in Office until the Appointment of a new Council; and in case of Vacancies arising betwixt the fixed Days of Election in each Year, caused by the Death or Removal of any Member of the Council or of the Chairman, an Election shall take place within Fourteen Days, and another Member be elected to fill up the said Vacancy from the Class to which he may belong, or a Chairman be appointed, as the Case may be, and the Member or Chairman so elected shall serve the Remainder of the Year.

Case of Vacancy, &c.

Householders and Part Occupiers may demand to be registered, and have a Vote for the Council, and may be elected thereto.

9. For the Purposes of this Act, each Person being Twenty-one Years of Age, belonging to the Trade, having a Licence for a Council, and being an Inhabitant Householder or Part Occupier of any House, Warehouse, Counting-house, or other Property, who, being a Master in such Trade, has resided and carried on the same within the Limits of any City, Borough, Town, Stewartry, Riding, Division, Barony, Liberty, or other Place, wherever an Equitable Council of Conciliation and Arbitration is formed, for the Space of Six Calendar Months previous to the Ninth Day of *November* in any One Year, and being a Workman has resided for a like Period within the same Limits, and has worked at his Trade or Calling Seven Years previous to the Ninth Day of *November* in any One Year, shall be entitled to be registered as a Voter for the Election of the Council, and shall be qualified to be elected a Member of such Council; but the Masters shall appoint their own Portion of the Council, and the Workmen elect their Portion of the Council.

10. The

Register of Voters to be kept.

10. The Clerk of each Division of the Council shall keep a Register of every Person claiming to have his Name inscribed on the Register as a Voter for the Council, whether Master or Workman (but distinct from each other), the said Register to contain the Name, Occupation, and Abode of each Person engaged in the particular Trade or Occupation as set forth in the Licence granting the Formation of the Council; and the said Clerk shall, upon Payment of a Registration Fee being made to him, register the same immediately, or be liable to be fined for Neglect, the said Fine to be applied to the Funds of the said Council, and the Council is hereby empowered to fix and determine the Amount of such Fee and Fine respectively: Provided that in case it shall appear to the Council that any Person ought not to be so registered, the Council shall strike the Name of such Person off such Register.

Meetings of Masters and Workmen to elect the Council.

11. The Clerk of the Council shall, for the Purposes of this Act, be the Returning Officer; he shall convene Meetings of Masters and Meetings of Workmen, by Advertisement, Fourteen clear Days previous to the First Day of *November;* and each Class shall at such Meetings proceed to nominate and elect Members to the Council for the Year next ensuing; the Votes to be taken by Show of Hands or Division of Numbers, and in such Place as the Council may authorize; and the Clerk shall declare to the said Meeting the Names of the Candidates who are elected, and the same shall be final and conclusive, unless a Poll is demanded at the Time the Declaration is made; but either Party may demand a Poll of those only whose Names are registered in the Books of the Council.

In case a Poll is demanded, Council to appoint Time and Place.

12. A Poll being demanded by Six Registered Voters, the Council shall appoint Time and Place for that Purpose, where each Voter shall be entitled to record his Vote.

Election to be declared within 7 Days of Nomination.

13. The Clerk shall, within Seven Days after the Day of Nomination, in case of a Poll being demanded, declare the Number of Votes given to each Candidate, and those having received the largest Number of Votes shall be declared duly elected.

Appointment of Clerk.

14. The Council shall also appoint a Clerk, who shall continue in Office until a new Appointment shall be made in his Stead, and who shall keep a Record of all their Proceedings, and do and perform such other Duties as this Act may authorize or the said Council may require.

15. The

Place of Meeting.

15. The Council may hold their Sittings in any public Room used for conducting public Business, with the Permission of the Authority having the Power to grant such Permission.

To make List of Fees, Byelaws, &c.

16. Every Council elected under this Act shall from Time to Time make out a List of Fees which shall be charged for any Proceeding and other Expenses under this Act, and shall appoint such Officers as may be necessary, and make such Byelaws, Rules, and Regulations for their Guidance, and for the taking and Scrutiny of the Votes given for the Election of Members of the Council, and also for the Despatch of Business, as they may deem necessary; such Byelaws, Rules, Regulations, and Fees not to be legal and binding in Law unless and until they shall be sanctioned by the Secretary of State for the Home Department.

5 G. 4. c. 96., &c. to remain in full Force.

17. The Acts before recited shall remain in full Force and Effect as though this Act had not been passed: This Act shall not be construed to extend to Domestic Servants or Servants in Husbandry.

Citation of Act.

18. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Councils of Conciliation Act, 1867."

Commencement of Act.

19. This Act shall commence on the Second Day of *July* One thousand eight hundred and sixty-seven.

SCHE-

SCHEDULE OF FORMS.

FORM OF SUMMONS OF A WITNESS TO BE ISSUED BY CHAIRMAN.

County of / *or* Borough of } To the of the Equitable Council of Conciliation and Arbitration.

WHEREAS it appeareth to me, *A.B.*, Chairman of the said Equitable Council of Conciliation and Arbitration held at , that *G.H.* of in the Borough [*or* County, *as the Case may be*,] is a material Witness to be examined concerning the Dispute between *C.D.* of and *E.F.* of under the Act [*here set forth the Title of the Act*]: These therefore are to require you forthwith to summon the said *G.H.* to appear before the said Equitable Council of Conciliation and Arbitration, held at the at the Hour of in the noon of the Day of 18 , so that the said Dispute may be adjudicated upon and settled forthwith according to Law; and be you then there to certify what you have done in the Premises. Herein fail not.

Given under my Hand, this Day of in the Year of our Lord

(Signed) *A.B.*,
Chairman of the Equitable Council of Conciliation and Arbitration.

FORM OF AWARD.

WE *I.K.* and *L.M.* [*name and describe the Arbitrators*], the Arbitrators in the Matters in dispute between [*here state the Names of Plaintiff and Defendant to the Reference*], do hereby adjudge and determine that [*here set forth the Determination, to which the Chairman and Arbitrators shall subscribe their Names*].

Signed this Day of 18 .

FORM OF ENDORSEMENT EXTENDING THE TIME LIMITED FOR MAKING THE AWARD.

WE , Members of the Equitable Council of Conciliation and Arbitration, do hereby agree to extend the Time of hearing or making an Award, as the Case may be, in the Matter in dispute between of and of to the Day of .

Witness our Hands, this Day of 18 .

FORM OF ACKNOWLEDGMENT OF FULFILMENT OF THE AWARD.

I , Chairman of the Equitable Council of Conciliation and Arbitration, do hereby acknowledge that the Award in the Matter of Dispute between of and of hath been duly fulfilled by who is hereby discharged of the same.

Witness my Hand, this Day of .

A.B., Chairman.

FORM OF ACKNOWLEDGMENT OF FULFILMENT OF THE AWARD.

I , Chairman of the Equitable Council of Conciliation and Arbitration, do hereby acknowledge that the Award in the Matter of Dispute between of and of to the Day of .

Witness my Hand, this Day of 18 .

A.B., Chairman.

FORM OF OATH TO BE ADMINISTERED BY THE ARBITRATORS TO THE PARTIES AND WITNESSES UNDER THIS ACT.

THE Evidence that you shall give before this Equitable Council of Conciliation and Arbitration between and under and by virtue of this Act [*here state the Title of this Act*] shall be the Truth, the whole Truth, and nothing but the Truth.

So help you GOD.

FORM

FORM OF COMMITMENT OF A PERSON SUMMONED AS A WITNESS BEFORE THE ARBITRATORS.

WHEREAS Proof on Oath hath been made before me, One of Her Majesty's Justices of the Peace for the County [*or* Riding, Stewartry, Division, City, Burgh, Liberty, Town, *or* Place] of , on this Day of , that *A.B.* hath been duly summoned, and hath neglected to appear and give Evidence before the Equitable Council of Conciliation and Arbitration for the in the Matters of Dispute between *C.D.* and *E.F.*, at in the County [*or* Riding, Stewartry, Division, City, Burgh, Liberty, Town, *or* Place] of , on the Day of , under and by virtue of an Act made in the Twenty-fourth Year of the Reign of Her present Majesty, intituled "An Act" [*here set forth the Title of this Act*]; and the said *A.B.* being required to appear and give Evidence before the said Arbitrators, and still refusing so to do: Therefore I, the said Justice, do hereby, in pursuance of the said Act, commit the said *A.B.* to the [*describing the Prison and the House of Correction*], there to remain without Bail or Mainprise, for his [*or* her] Offence aforesaid, until he [*or* she] shall submit himself [*or* herself] to be examined and give his [*or* her] Evidence before the said Arbitrators touching the Matters referred to them, or shall otherwise be discharged by due Course of Law: And you the [*Constable or other Peace Officer or Officers to whom the Warrant is directed*] are hereby authorized and required to take into your Custody the Body of the said *A.B.*, and him [*or* her] safely convey to the said Prison [*or* House of Correction], and him [*or* her] there to deliver to the Gaoler [*or* Keeper] thereof, who is hereby authorized and required to receive into his Custody the Body of the said *A.B.*, and him [*or* her] safely to detain and keep, pursuant to this Commitment.

Given under my Hand, this Day of in the Year of our Lord .

(This Commitment to be directed to the proper Peace Officer and the Gaoler [*or* Keeper] of the Prison [*or* House of Correction].)

FORM OF WARRANT OF DISTRESS.

To the Constable of .

WHEREAS of under an Award made by on the Day of in the Year of our Lord pursuant to an Act passed in the Twenty-fourth Year of the Reign of Her present Majesty, intituled "An Act" [*state the Title of this Act*], is liable to pay to of

the Sum of , and also the Sum of ; and the said having refused or neglected to pay the same for the Space of Two Days and upwards subsequent to the making of such Award: These are therefore to command you to levy the said Sum of by Distress and Sale of the Goods and Chattels of the said ; and I do hereby order and direct the Goods and Chattels so to be distrained to be sold and disposed of within Days, unless the Sum of for which such Distress shall be made, together with the reasonable Charges of taking and keeping such Distress, shall be sooner paid; and you are hereby also commanded to certify to me what you shall do by virtue of this my Warrant.

Given under my Hand and Seal at the Day of .

FORM OF THE CONSTABLE'S RETURN TO THE WARRANT OF DISTRESS.

I , Constable of , do hereby certify to , Justice of the Peace , that I have made diligent Search for but do not know of nor can find any Goods and Chattels of by Distress and Sale whereof I may levy the Sum of pursuant to his Warrant for that Purpose, dated the Day of in the Year of our Lord .

Given under my Hand, this Day of the Year of our Lord .

FORM OF COMMITMENT THEREUPON TO THE HOUSE OF CORRECTION.

[*Here name the County.*] To the Constable of and also to the Keeper of the House of Correction at .

WHEREAS of under an Award made by on the Day of in the Year of our Lord , pursuant to an Act passed in the Twenty-fourth Year of the Reign of Her present Majesty, intituled "An Act" [*state the Title of this Act*], became liable to pay to the Sum of , and also the Sum of for Costs, Time, and Expenses, making together the Sum of , and having refused or neglected to pay the same for the Space of Two Days and upwards subsequent to the making of such Award, my Warrant was, according to the Provisions of the said Act, duly made and issued for the levying the said Sum of by Distress and Sale of the Goods and Chattels of the said :

And

And whereas it appears by the Return of Constable of , dated the Day of , that he hath made diligent Search for but doth not know of nor can find any Goods and Chattels of the said by Distress and Sale whereof the said Sum of may be levied, pursuant to my said Warrant: These are therefore to command you, the said Constable of , to apprehend the said and convey him to the said House of Correction at aforesaid, and deliver him there to the Keeper of the said House of Correction; and these are also to command you, the Keeper of the said House of Correction, to receive him the said into the said House of Correction, and there keep him, without Bail or Mainprise, for the Space of Months, unless the said Sum of so ordered to be paid as aforesaid shall be sooner satisfied, with all reasonable Expenses.

Given under my Hand and Seal at
the Day of .

FORM OF COMMITMENT WHERE THE WARRANT OF DISTRESS IS WITHHELD.

[*Here name the County.*] To the Constable of and also to the Keeper of the House of Correction at .

WHEREAS of under an Award made by on the Day of in the Year of our Lord , pursuant to an Act passed in the Twenty-fourth Year of the Reign of Her present Majesty, intituled "An Act" [*state the Title of this Act*], became liable to pay to the Sum of , and also the Sum of for Costs, Time, and Expenses, making together the Sum of , which he has refused or neglected to pay for the Space of Two Days and upwards subsequent to the making of such Award: And whereas it appears to me that the Recovery of such Sum and Warrant of Distress and Sale of the Goods and Chattels of the said will be attended with Consequences ruinous or in an especial Manner injurious to the Defaulter [and his Family, *if any*], and I therefore have determined to withhold such Warrant, and to commit the said to Prison, pursuant to the said Act: These are therefore to command you, the said Constable of , to apprehend the said , and convey him to the House of Correction at aforesaid, and to deliver him there to the Keeper of the said House of Correction; and these are also to command you, the Keeper of

of the said House of Correction, to receive him the said into the said House of Correction, and there keep him, without Bail or Mainprise, for the Space of Months, unless the said Sum of so ordered to be paid as aforesaid shall be sooner satisfied, with all reasonable Expenses.

Given under my Hand and Seal at the Day of .

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CVI.

An Act to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor. [20th *August* 1867.]

WHEREAS it is expedient to make the Poor Law Board permanent, and to provide sundry Amendments in the Laws for the Relief of the Poor: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Sect. 28. of 10 & 11 Vict. c. 109. repealed.

1. From and after the passing of this Act, the Twenty-eighth Section of the Poor Law Board Act, 1847, the Operation of which Section has been extended by divers Acts until the Twenty-third Day of *July* in this Year and the End of the next Session of Parliament, shall be repealed.

Local Acts relating to the Poor in Places out of the Metropolis may be altered by a Provisional

2. Where in any Union or Parish not being within the Metropolis as defined by the Metropolitan Poor Act, 1867, the Relief of the Poor, or the making and levying of the Poor Rate, is subject to the Control or Regulation of any Local Act, it shall be competent for the Guardians of such Union or Parish having Powers to exercise or Duties to discharge under such Act to apply to the Poor Law

Board

Order of the Poor Law Board, to be confirmed by Parliament.

Board to issue an Order to repeal the whole or any Part of such Local Act, or to alter the same, such Application having been agreed to by the Majority at Two successive Meetings of the said Guardians, and being forwarded in Writing under the Hand of the presiding Chairman of the Second of such Meetings to the said Board; and the said Board may, if after due Inquiry they shall deem it expedient, make and issue a Provisional Order for such Repeal or Alteration, and shall take all necessary Steps for the Confirmation of such Order by Act of Parliament, but previously to such Confirmation the said Order shall not be of any Validity whatever; and every Act of Parliament confirming such Order shall be deemed a Public General Act.

Poor Law Board may adjust intermingled Parishes or divide extensive Parishes by a Provisional Order, to be confirmed by Parliament.

3. Where several Parts of any Parish are separated from one another or intermixed with an adjoining Parish, or where a Parish is of great Extent in Area, and an Application in Writing shall be made to the Poor Law Board by One Tenth Part in Value of Owners of Property and of Ratepayers in the Parish or Parishes respectively interested in the Subject, the said Board may, if satisfied by public Inquiry on the Spot, after Fourteen Days public Notice of the Time, Place, and Object of such intended Inquiry, that the Relief to the Poor can be better administered in the Parish or Parishes by means of such Re-adjustment or Division as herein-after mentioned, make an Order under Seal for re-adjusting or dividing the said Parishes according to the Terms of the Application, and for the Purposes and Objects set forth therein, or with such Modifications as they shall deem expedient, and such Order shall be made provisionally, and shall be submitted to Parliament, to be confirmed in the Manner herein-before set forth.

Qualification of Guardian.

4. The Qualification of a Guardian described by the Poor Law Amendment Act, 1834, shall be determined with reference to the annual rateable Value of the Property in respect of which his Qualification is claimed.

Owners residing in Parishes not to vote by Proxy.

5. No Owner shall vote by Proxy at the Election of a Guardian for any Parish or Ward therein if at the Time of such Election he shall be residing within the said Parish.

Sect. 21. of 7 & 8 Vict. c. 101. repealed, and other Provisions made as to voting in Wards.

6. The Twenty-first Section of the Poor Law Amendment Act, 1844, shall be repealed; and no Person in any future Election of Guardians entitled to vote shall give in the whole of the Wards into which a Parish may be divided a greater Number of Votes than he would have been entitled to have given if the Parish had not been divided into Wards, nor in any One Ward a greater Number of Votes than he is entitled to in respect of Property in that Ward; but any such

or Owner may, by Notice in Writing signed by him, the Overseers of the Parish before the Day appointed for the Annual Nomination of Candidates, elect in what Ward he shall vote for the ensuing Year, and determine what Number of Votes, having regard to the Property situated therein, he may give in such One or more such Wards; and if he do not give such Notice his Vote shall only be taken for the Ward in which he may reside, or if he do not reside within the Parish, for that Ward in which the greatest Part of such Property according to its annual Value shall be situated; provided that no Person shall be entitled to vote as a Guardian for any Ward in which he is not qualified to vote.

Overseers may object to Names of Owners on the Register.

may object to the Names of any Persons entered Owners whom they shall believe to be dead, or to voting as such Owners, and shall give public to the Provision in the Poor Law Amendment Names to which they have made Objections on the Fifth and Fifteenth Days of *February*, and of such Notice to the Clerk of the Guardians, decide such Objections at the Time of his Register, in like Manner as in the Case of other

Overseers may make fresh Registers.

s may from Time to Time make a fresh Register e claimed to vote for Guardians and of Proxies necessary, causing the Names to be copied from er, and the Two to be carefully collated and

Returning Officer to be concluded by the Register, whether revised or not.

ning Officer at the Election of Guardians shall, in which a Revision can take place, be concluded by the Register, whether such Register has or has not

Voting of Corporations and Joint Stock Companies as Ratepayers.

e any Corporation Aggregate, Joint Stock or other Commissioners, or public Trustees shall be rated, any such Corporation, Company, Commissioners, or public from Time to Time appointed by the governing Body whose Name shall be sent in Writing to the Overseers e the First Day of *March* in any Year, to be entered in the te Book under the Name of such Corporation, Company, Commissioners, or public Trustees, shall be entitled to vote in respect of the Property assessed as if he were assessed in his own Name for the same, and in the Case of a Parish divided into Wards shall vote in

in that Ward where the principal Office of the Corporation, Company, Commissioners, or public Trustees shall be situated, if any, or otherwise in that Ward where the greatest Part of the Property assessed shall be situated.

Informal Poor Rate, if paid, to qualify Voters at the Election of Guardians.

11. Where Money has been collected in any Parish by an Assessment under the Name and as and for a Poor Rate, the same shall be deemed to be a Rate made for the Relief of the Poor within the Meaning of the Fortieth Section of the Poor Law Amendment Act, 1834, and the Sixteenth Section of the Poor Law Amendment Act, 1844, notwithstanding any Defect in the Form of such Assessment.

When Election set aside, previous Guardian not entitled to act as Guardian.

12. When any Question as to the Election of a Guardian is decided by the Poor Law Board, and according to their Decision the Election in the Parish for which he shall have been returned is declared to have been null, the Guardian elected at any Election in the previous Year shall not be entitled to serve as such Guardian for the Remainder of the current Year, but the Poor Law Board shall issue an Order for a fresh Election.

Guardians may make temporary Hirings without an Order under Seal.

13. Guardians may, with the Approval of the Poor Law Board, hire or take on Lease, temporarily or for a Term of Years not exceeding Five, any Land or Buildings for the Purpose of the Relief or Employment of the Poor and the Use of the Guardians or their Officers, without any Order of the said Board under Seal.

Increase of the Limit of Amount to be raised for building Workhouses.

14. The Amount limited by the Twenty-fourth Section of the Poor Law Amendment Act, 1834, with reference to the Sums to be raised for the Purpose of building Workhouses, shall be increased, and instead of the Limit of One Year's Amount of Poor Rates, as therein prescribed, a Sum not exceeding Two Thirds of the aggregate Amount of Poor Rates raised during the Three Years therein mentioned may be raised for this Purpose, and where the Site shall be within any Municipal Borough, or within Five Miles from the outward Boundary thereof, the Cost of such Site may be added to the Sum aforesaid.

Provision for the Contributions of divided and added Parishes in Unions and Adjustment of Liabilities.

15. When any Parish comprised in any Union shall have been or shall be subdivided, or when any Parish shall have been or shall be added to any Union after all the Valuation Lists have been finally approved, the Contributions of the several Parishes to the Common Fund thereof shall continue to be made according to the Provisions of the Union Assessment Committee Act, 1862, and the Poor Law Board shall determine by their Order the Proportions according to which the several Parts of the Parish so divided or the Parish so added shall contribute to the Common Fund until Valuation Lists for

for such Parts or such Parish respectively shall have been finally approved of by the Assessment Committee of the Union, and shall also in respect of such divided Parish determine the Proportions of the Liabilities of such Parish to the Common Fund at the Time of the Division, to be charged upon the several Parts according to the annual rateable Value of the Property comprised therein respectively.

Proviso to Sect. 40. and Part of Sect. 43. of 7 & 8 Vict. c. 101. repealed.

16. The Proviso to Section Forty of "The Poor Law Amendment Act, 1844," and so much of Section Forty-three of the said Act as requires the Consent in Writing of a Majority of the District Board therein described to the Alteration of such District, are hereby repealed.

Sect. 3. of 5 & 6 W. 4. c. 69. extended to Cases of dissolved Boards of Guardians for a Parish.

17. The Power conferred by the Third Section of "The Union and Parish Property Act, 1835," upon the Persons who were the Guardians of any dissolved Union at the Time of its Dissolution, shall extend to the Persons who constituted the Board of Guardians of a Parish when such Board shall be dissolved.

Sect. 2. of 29 & 30 Vict. c. 113. to apply to certain Relieving Officers.

18. The Second Section of the Poor Law Amendment Act of 1866 shall apply to a Relieving Officer who may hold the Office of Registrar of Marriages simultaneously with that of Relieving Officer.

Allowance not to be lost by reason of being employed under another public Authority.

19. Where an Officer shall at the Time of vacating his Office be employed solely in the Service of the Guardians, he shall not be prevented from receiving a Superannuation Allowance by reason of his having been also employed under another public Authority, provided that such last-mentioned Employment shall have ceased not less than Three Years prior to his Application for such Allowance.

Service in a dissolved Union may be reckoned in the Grant of Allowance in new Union.

20. When any Union shall have been or shall be dissolved, or when any Parish shall have been or shall be placed under the Management of a Board of Guardians, the Time passed in the Service of such Union or Parish prior to such Dissolution or the Constitution of such Board shall be deemed Service, which the Guardians of any other Union comprising such Parish, or the Board of Guardians for such Parish, may, if they think fit, take into consideration in any Case where an Officer applies for a Superannuation Allowance; and if any Person shall by means of such Dissolution be deprived of any Office or Employment, the Poor Law Board may, according to their Judgment, award a Compensation to be paid to such Person, either in a Sum certain or by way of Annuity, and shall direct the same to be paid out of the Poor Rate of the Parish or Parishes for which such Person was acting at the Time of the Dissolution, in such Manner and according to such Proportions as to the said Board shall appear equitable.

21. The

Guardians may provide for adult Paupers blind, or deaf and dumb.

21. The Guardians may provide for the Reception, Maintenance, and Instruction of any adult Pauper, being blind or deaf and dumb, in any Hospital or Institution established for the Reception of Persons suffering under such Infirmities, and may pay the Charges incurred in the Conveyance of such Pauper to and from the same, as well as those incurred in his Maintenance, Support, and Instruction therein.

Guardians empowered to detain indoor Paupers.

22. When there shall be in any Workhouse a poor Person suffering from mental Disease, or from bodily Disease of an infectious or contagious Character, and the Medical Officer of such Workhouse shall upon Examination report in Writing that such Person is not in a proper State to leave the Workhouse without Danger to himself or others, the Guardians may direct the Master to detain such Person therein, or, if the Guardians be not sitting, the Master of the Workhouse may, until the next Meeting of the Guardians, detain him therein, and such Person shall not be discharged from such Workhouse until the Medical Officer shall in Writing certify that such Discharge may take place; provided, however, that this Enactment shall not prevent the Removal of a Lunatic to a Lunatic Asylum, Registered Hospital, or Licensed House, when such Removal is otherwise required by Law, nor the Removal of any poor Person after the Parent or Next of Kin of such Person shall have given to the Guardians such an Undertaking as they shall deem satisfactory to provide for the Removal, Charge, and Maintenance of such Person with due Care and Attention while the Malady continues; and this Provision shall apply to every District School and District Asylum, and to the Managers, Board of Management, Medical Officer, Superintendent, or Master thereof respectively.

As to Pauper Lunatics sent from Boroughs.

23. When any Pauper Lunatic shall be sent to an Asylum from any Part of a Borough wholly or partly comprised within a Union, which Borough shall not have contributed to the Erection or Maintenance of that Asylum, the Visitors of the Asylum shall, where the Union and the Borough are not conterminous, make out Two Accounts in respect of such Lunatic in the Asylum, one of which shall be limited to the Charge which would be made in the Case of a Pauper Lunatic sent from the County, and shall be transmitted to the Guardians of the said Union for Payment, and the other, which shall contain the extra Sum by Law chargeable in respect of a Pauper Lunatic received into the same Asylum from any other County, shall be transmitted to the Town Council of such Borough, and shall be paid by them as other Charges to which the Borough Fund may be liable.

24. When

As to Orders of Removal from a Union not formed under 4 & 5 W. 4. c. 76., or from a Parish not in Union.

24. When an Order of Removal is obtained by the Guardians of any Union not formed under the Poor Law Amendment Act, 1834, or by the Guardians or Overseers of any Parish not included in any Union so formed, in respect of a Pauper alleged to be settled in some Parish included in a Union so formed, such Order shall be addressed to the Guardians of such Union, and shall be dealt with in all respects as provided by the Union Chargeability Act, 1865.

Provision for suspended Orders of Removal.

25. When any Order of Removal made before the passing of the said last-mentioned Statute shall have been suspended, and such Suspension shall hereafter be taken off, the Order of Expenses to be made thereon shall, in the Case of a Parish comprised in a Union, be made in favour of the Guardians of the Union comprising the Parish entitled to be reimbursed, and against the Guardians of the Union containing the Parish to which the Order of Removal was addressed; and the several Boards of Guardians shall apply so much of the Expenses as were incurred before the Twenty-fifth Day of *March* One thousand eight hundred and sixty-six to the Account of the respective Parishes, and the Residue to the Account of the Common Funds of the Unions.

Orders of Removal may be suspended in the Case of Unions, and the Expenses recovered quarterly.

26. When an Order of Removal is made upon the Guardians of any Union, its Execution may be suspended in like Manner as in the Case of Orders of Removal heretofore made in Parishes, and with the like Requirements, Liabilities, and Consequences; provided that the Guardians of the Union in whose Favour such Order is made may send an Account to the Guardians of the Union upon whom it is made, at the End of every Quarter, of the Cost incurred in the Maintenance of the Pauper and of his Family, as the Case may require; and the said last-mentioned Guardians may pay the same, and if they neglect to do so the said first-mentioned Guardians may recover the Amount of the Sum reasonably expended by them in any County Court within whose Jurisdiction their Union or the greater Part thereof shall be situated.

Jurisdiction of Justices in Unions.

27. Where a Union extends into several distinct Jurisdictions, every Matter, Act, Charge, or Complaint by which the Guardians thereof are affected, or in which they have any Interest, shall for the Purpose of Jurisdiction be deemed to arise or exist equally throughout the Union.

Rates under Sect. 15. of 26 & 27 Vict. c. 70. to be subject to Audit.

28. The Rates made by the Overseers under the Provisions of the Fifteenth Section of The Public Works (Manufacturing Districts) Act, 1863, and the Accounts of every Officer who may collect the same, shall be subject to be audited by the same Auditor and in the same Manner as the Rates made for the Relief of the Poor by the same Overseers, and the Accounts of the Receipts and Payments in respect of such Poor Rates.

29. If

Fire Engine may be purchased for the Use of the Parish.

29. If the Vestry of any Parish, where there is no Town Council, Local Board, or other Authority competent to provide the same, after due Notice, shall resolve that the Overseers shall provide any Fire Engine, Ladder, or Fire Escape for general Use in the Parish, the Overseers shall provide the same, and pay out of the Poor Rate the Cost thereof, and of procuring a proper Place wherein to keep the same, and of maintaining it, as well as any such Engine, Ladder, or Escape acquired by the Parish in any other Manner for such Use, in a fit State of Repair, and the Charges of such Persons as may be necessary for the Use thereof, and the Cost of suitable Implements and Accoutrements.

Short Title.

Interpretation of Terms.

30. This Act may be cited as "The Poor Law Amendment Act, 1867," and the several Acts mentioned in the Schedule may be cited as therein set forth; and the Words contained herein shall be construed in like Manner as in the Poor Law Amendment Act, 1834, and in the subsequent Acts amending, explaining, or extending the same, and all the Provisions of such Acts now in force, so far as they are consistent with this Act, shall be incorporated herewith.

SCHEDULE.

Date of the Statute.	Title for Citation.
4 & 5 W. 4. c. 76. -	The Poor Law Amendment Act, 1834.
5 & 6 W. 4. c. 69. -	The Union and Parish Property Act, 1835.
5 & 6 Vict. c. 18. -	Parish Property and Parish Debts Act, 1842.
5 & 6 Vict. c. 57. -	Poor Law Amendment Act, 1842.
7 & 8 Vict. c. 101. -	Poor Law Amendment Act, 1844.
9 & 10 Vict. c. 66. -	Poor Removal Act, 1846.
10 & 11 Vict. c. 109. -	Poor Law Board Act, 1847.
11 & 12 Vict. c. 31. -	Poor Law Procedure Act, 1848.
11 & 12 Vict. c. 91. -	Poor Law Audit Act, 1848.
11 & 12 Vict. c. 110. -	Poor Law Amendment Act, 1848.
12 & 13 Vict. c. 103. -	Poor Law Amendment Act, 1849.
13 & 14 Vict. c. 101. -	Poor Law Amendment Act, 1850.
14 & 15 Vict. c. 105. -	Poor Law Amendment Act, 1851.
29 & 30 Vict. c. 113. -	Poor Law Amendment Act, 1866.

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tuled *An Act to abolish the Annuity Tax in* Edinburgh *and* Montrose, *and to make Provision in regard to the Stipends of the Ministers in that City and Burgh, and also to make Provision for the Patronage of the Church of* North Leith:

The Expression "Magistrates and Council" shall mean the Lord Provost, Magistrates, and Council of the City of *Edinburgh* for the Time being.

Parish of Canongate to be uncollegiated.

2. The Second Charge of the Parish of *Canongate*, of which the Patronage now belongs to the Heritors, Kirk Session, Members, and others, shall be held to have lapsed from and after the Term of *Whitsunday* One thousand eight hundred and sixty-seven; and from and after the passing of this Act the whole Duties of Minister of the Parish of *Canongate*, subject to the Provisions herein-after made for the Constitution of a *quoad sacra* Parish, shall devolve upon the Reverend *Daniel M'Fie*, the present Second Minister, who shall in future be the Minister of the Parish of *Canongate*, and upon his Successors in Office; and his Successors in Office, Ministers of *Canongate*, shall be appointed by the Crown as Patron of said Parish of *Canongate*.

Constitution of quoad sacra Parish of New Canongate.

3. The Church situated within the said Parish of *Canongate* called "*New Street* Church" shall from and after the passing of this Act be erected into a Parish Church *quoad sacra*, to the same Effect as if it had been erected under the Provisions of the Act of the Seventh and Eighth *Victoria*, Chapter Forty-four, intituled *An Act to facilitate the disjoining or dividing of extensive or populous Parishes and the erecting of new Parishes in that Part of the United Kingdom called* Scotland, and the District marked out and designated in Schedule (A.) hereto appended shall be the District to be attached to the said Church *quoad sacra*; and the said Church and District *quoad sacra* are hereby disjoined from the said Parish of *Canongate*, to which the same now belong, and erected into a Church and Parish *quoad sacra* in connexion with the Church of *Scotland*, to be called the Church and Parish of *New Canongate*; and the Minister and Elders of the said Church and Parish shall have and enjoy the Status and all the Powers, Rights, and Privileges of a Parish Minister and Elders of the Church of *Scotland*; and the Patronage of the said Church and Parish shall be and is hereby vested in the Ecclesiastical Commissioners, and the said Church and Parish shall thereafter form a Church and Parish *quoad sacra* in the same Manner in all respects as a Church and Parish *quoad sacra* erected in Terms of the Provisions of the said Act Seventh and Eighth *Victoria*, Chapter Forty-four, with Power to the said Commissioners, if they shall deem it to be proper, to transfer the said Church of *New*

Canongate

Canongate and their Rights in the said Parish *quoad sacra*, including the Right of Patronage, to Trustees to be appointed in Terms of the said last-recited Act.

Reduction of Annuity Tax, and Rate which may hereafter be levied.

4. From and after the Term of *Whitsunday* One thousand eight hundred and sixty-eight, the Impost or Tax now levied under the Name of the Annuity Tax within the Parish of *Canongate*, for the Maintenance in part of the Ministers thereof, shall be reduced to a Tax which will be sufficient to produce a clear Sum of Two hundred and fifty Pounds by the Year, said Sum being held to be the Equivalent for an Assessment at the Rate of Threepence for every Pound of the gross yearly Value of the Lands and Heritages, excluding those which belong to Departments of the State, situated within the Limits of the said Parish of *Canongate*, including the said *quoad sacra* Parish; and the said reduced Tax shall be called the *Canongate* Annuity Tax, and shall be levied by the Parochial Board of said Parish along with but separate from the Assessments imposed under the Provisions of the Act Eighth and Ninth *Victoria*, Chapter Eighty-three; and the Collector or Collectors of the Assessments under the said Act shall also be the Collector or Collectors of the said *Canongate* Annuity Tax, and the said Parochial Board shall account for and pay over to the Ecclesiastical Commissioners the said Sum of Two hundred and fifty Pounds by Two Instalments of One hundred and twenty-five Pounds each, at *Candlemas* and *Whitsunday* in each Year, commencing at the Term of *Candlemas* One thousand eight hundred and sixty-nine; and the said Collector or Collectors shall have all the Powers in regard to enforcing Payment of the said *Canongate* Annuity Tax which are at present competent to the Collectors of the Assessments imposed by the said last-recited Act, or by the "*Edinburgh* Police Act, 1848," and the "*Edinburgh* Municipality Extension Act, 1856;" and he or they shall be paid an Allowance for the Collection of the said Tax corresponding to the Allowance paid to him or them for the Collection of the Assessments under the Act Eighth and Ninth *Victoria*, Chapter Eighty-three: Provided always, that in the event of the Rate imposed for any One Year being insufficient to raise said clear Sum of Two hundred and fifty Pounds, the Rate for the succeeding Year or Years shall be increased so as to raise a Sum sufficient to supply the Deficiency in the preceding Year, as well as the clear Sum of Two hundred and fifty Pounds for the Year for which the Assessment is made: Provided also, that it shall not be competent to the said Parochial Board to assess or recover the said Tax from the Occupiers of Lands and Heritages valued at under Five Pounds a Year; and it shall be

be competent to the said Parochial Board to exempt from the Assessment such Persons as they shall consider to be unable from Poverty to pay the same.

Provisions in regard to Churches and other Ecclesiastical Property.

5. The Heritors and other Persons presently liable for the Maintenance and Repair of the *Canongate* Church and Manse shall be bound to put the same in proper Repair, at the Sight of *Robert Matheson*, Assistant Surveyor of the Board of Works for *Scotland*, as at the Term of *Whitsunday* One thousand eight hundred and sixty-eight, and as at said Date the whole Rights, Administration, and Custody as respects the said Churches of *Canongate* and *New Canongate*, together with the said Churches themselves, and Cellars, Vaults, and the Churchyard, shall be and the same are hereby vested in the Ecclesiastical Commissioners for Behoof of said Parishes; and the Manse of the Parish of *Canongate* shall also be vested in the said Ecclesiastical Commissioners, with Power to them, if they consider it expedient, to make Alterations on or to sell the said Manse, the Price obtained therefor, after Deduction of Expenses, to be invested in the Purchase of another Manse, or otherwise for Behoof of the Minister of the Parish of *Canongate* and his Successors in Office; and the said Heritors and other Parties presently liable for the Maintenance and Repair of said *Canongate* Church, Manse, and Churchyard shall, as from the said Term, be relieved from all Obligations or Liability connected with said Churches and Manse, and also from Liability for the Maintenance of said Churchyard while the same remains unclosed; and in the event of the said Churchyard being closed as a Burial Ground in Terms of the Provisions of the "Burial Grounds (*Scotland*) Act, 1855," the Liability for the Maintenance of said Churchyard shall be regulated by the Provisions of said Act; and it is hereby provided that the Stipend of the Parish of *Canongate* arising under the existing Law for the Year from *Whitsunday* One thousand eight hundred and sixty-seven to *Whitsunday* One thousand eight hundred and sixty-eight shall, as heretofore, be divided into Two equal Parts, and the one Part shall, as heretofore, be paid to the said Reverend *Daniel Macfie* or his Successors in Office, and the other Part, which shall accrue before the Appointment of the Minister of the *quoad sacra* Church of *New Canongate*, shall be paid to the Ecclesiastical Commissioners, to be applied by them for the Benefit of the Minister who shall be appointed to the said *quoad sacra* Church which is herein-after constituted, and his Successors in Office.

Makcall's Mortification to be applied

6. Whereas by Mortification, dated Twenty-second *August* One thousand six hundred and thirty-nine, *David Makcall*, Merchant Burgess

Burgess of *Edinburgh*, gave certain Sums of Money to be employed by the Magistrates and Council for the Uses therein specified, and, *inter alia*, he gave a certain Sum for Behoof of a Preacher in the Neighbourhood of the said Parish of *Canongate*, which Mortification is at present administered by the Magistrates and Council: And whereas it is desirable that the said Mortification should be applied in aid of the Purposes of this Act: Therefore the Minister for the Time being of *New Canongate* Church shall be appointed by the Magistrates and Town Council Preacher under the Mortification of the said *David Makcall;* and the annual Produce of said Mortification shall be paid to the said Minister by the Magistrates and Town Council, but only so long as the said Minister shall by himself, or in his Absence by a duly qualified Person, continue to perform the Duties of Preacher under the said Mortification. for Purposes of this Act.

7. The Bishop's Rents and the Kirkyard Dues at present payable to the Ministers of the said Parish of *Canongate*, and also such Sum as may be contributed by the Endowment Committee of the Church of *Scotland*, and such annual Sum as may be contributed by any Department of the State in respect of Property in the said Parish, and such Sums as may be contributed from any other Source for the Purposes of this Act, shall be and are hereby vested in the Ecclesiastical Commissioners for the Purposes of this Act: Provided always, that the Sum to be received from the said Endowment Committee shall be appropriated by the Ecclesiastical Commissioners solely to the Use of the Minister of *New Canongate;* provided also, that the Church Collections of *New Canongate* shall be held as made subject to the Provisions of the before-recited Act of the Seventh and Eighth *Victoria*. Bishop's Rents, &c. to be applied for Purposes of this Act.

8. The Pews or Seats in the said Churches shall, from and after *Whitsunday* One thousand eight hundred and sixty-eight, be let by or at the Sight of the Kirk Session of each Church respectively, or at the Sight of the Ecclesiastical Commissioners in the Case of the *New Canongate* Church, so long as there is no Kirk Session in said Church, with the Exception of not less than One Tenth of the Number, which shall be reserved as Free Sittings, but subject to any Directions which the Ecclesiastical Commissioners may issue from Time to Time, and subject also to any Rights or Conditions presently attaching to such Pews or Seats, or, in case the Commissioners shall think it necessary or expedient, the said Pews or Seats shall be let by or at the Sight of the Commissioners or their Secretary, and at such Rents as the Commissioners may from Time to Time determine or approve; and the Kirk Session of each Church Provisions for letting Seats and Application of Rents.

may retain in their Hands, out of the Monies to be received for such Pew or Seat Rents, such Sums as shall be fixed by the Ecclesiastical Commissioners for the Payment of the Salaries of Precentors, Doorkeepers, or other Church Officers, and for cleaning, heating, and lighting the Church, and for providing Communion Elements, and for such other necessary Expenses in connexion with the Church as shall be allowed by the Ecclesiastical Commissioners; and the Kirk Session shall keep an Account of the whole Monies received by them for Pew or Seat Rents, and of the Sums retained for Payment of Expenses, and shall lay the same before the Ecclesiastical Commissioners yearly, or as often as they shall direct; and the Kirk Session shall pay the whole Balance of the Monies received for Pew or Seat Rents (after making the said Deductions); and in case the Monies received for Pew or Seat Rents in either of the said Churches shall in any Year be insufficient to defray the said Expenses, the Ecclesiastical Commissioners may, out of the other Monies received by them under the Provisions of this Act, pay such additional Sum as shall be necessary to make up such Deficiency; and the Right to appoint Session Clerks, Precentors, Doorkeepers, and other Church Officers of the said Churches shall belong to and be exercised by the Kirk Sessions of the said Churches respectively.

Provisions for the Ministers.

9. The Ecclesiastical Commissioners shall, out of the Monies vested in them for the Purposes of this Act, pay, in the first place, in Two equal Portions, at the Terms of *Candlemas* and *Whitsunday* One thousand eight hundred and sixty-nine, and annually thereafter at the said Terms, to the Minister of the Parish of *Canongate* and to his Successors in Office, in lieu of the Emoluments at present received by him, the Sum of Two hundred and fifty Pounds *per Annum;* and the said Minister shall also have Right to the Manse attached to the said Parish of *Canongate;* and the Ecclesiastical Commissioners shall also, out of the said Monies, provide for the Maintenance, Repair, and Insurance against Loss by Fire of the Fabric of the said *Canongate* Church; and the Ecclesiastical Commissioners may, out of the Balance of said Monies then remaining in their Hands, provide for the Maintenance and Repair of the Fabric of the said *New Canongate* Church, and for the Insurance of the same against Loss by Fire; and the Ecclesiastical Commissioners shall thereafter pay to the said Minister of *New Canongate* Church, in Two equal Portions, at the said Terms of *Candlemas* and *Whitsunday* One thousand eight hundred and sixty-nine, and annually thereafter, the Surplus of the annual Produce of said Monies, not exceeding the Sum of Two hundred and fifty Pounds, and not being less than One hundred and twenty Pounds, and if there

there shall be any Balance they shall provide also for Payment of the Proportion of the Expenses of the Ecclesiastical Commissioners, including such Remuneration as they shall see fit to allow to any Persons employed by them in the Execution of this Act or of the said first-recited Act, and of the Proportion of the Salaries of the Clerk of the Synod of *Lothian* and *Tweeddale*, and the Clerk and Officer of the Presbytery of *Edinburgh*, payable for the said Churches or either of them, and of the other Expenses to be incurred in carrying into effect the Purposes of this Act; and if there shall be any Surplus of the Rents of Church Seats of either of the Churches in the Hands of the Ecclesiastical Commissioners after defraying the Charges herein-before specified, said Surplus shall be paid over to the Minister of the Church which produces said Surplus, and that in addition to the said annual Sum herein-before provided: Provided always, that the Portions of said Stipends payable at the Term of *Candlemas* in each Year shall be for the Period from *Whitsunday* to *Michaelmas* preceding, and the Portions payable at the Term of *Whitsunday* shall be for the Period from *Michaelmas* to *Whitsunday*.

Commissioners to keep and publish Account.

10. The Ecclesiastical Commissioners shall cause full and true Accounts to be kept of their whole pecuniary Transactions under this Act, and a State of Accounts or Balance Sheet to be prepared as on the Thirtieth Day of *June* yearly, and inserted not later than the First Day of *August* thereafter once in at least Two Newspapers published in *Edinburgh*, setting forth the Amount of Monies received by them from every Source of Income, and of their Disbursements during the same Period, and the total Amount of the Monies laid out and invested by them or remaining in their Hands; and the Accounts of the Ecclesiastical Commissioners under this Act shall, before the Publication of the same annually, be audited and examined in the same Manner as the Accounts of the Ecclesiastical Commissioners are appointed to be audited and examined under the said first-recited Act.

Disposal of vacant Stipends.

11. All Stipends payable under this Act, in respect of the Charges becoming vacant, for the Period during which such Charges shall be vacant, shall be payable in the same Manner and for the same Purposes as the Stipends of vacant Charges are now payable by Law; and the legal Rights of any of the Representatives of the late Reverend *Andrew R Bonar*, One of the Ministers of *Canongate*, shall not be prejudiced by the Provisions of this Act.

Laws, &c. inconsistent with this repealed.

12. All Laws, Statutes, and Usages inconsistent with the Provisions of this Act are hereby repealed.

SCHE-

SCHEDULE (A.)

District to be disjoined from the Parish of Canongate and erected into the quoad sacra Church and Parish of New Canongate.

That Portion of the Parish of Canongate included within a Line drawn through the Centre of Leith Wynd from the High Street of the Canongate to the Foot of the said Wynd and thence in a straight Line to the North Back of the Canongate; thence along the Centre of the North Back of the Canongate to the Foot of the Tolbooth Wynd; thence along the Tolbooth Wynd to the High Street of the Canongate; and thence along the Centre of that Street to the Head of Leith Wynd.

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the Consolidated Fund, or out of Monies provided by Parliament, or out of or by Fees authorized by some Public Act of Parliament, or by some Order made thereunder:

The Term "the Treasury" shall mean the Lord High Treasurer or the Commissioners of the Treasury for the Time being.

Security for certain Officers may be accepted from Companies who comply with Conditions named hereafter.

2. Where any Person has any Office or Employment in the Public Service, and such Person is required to give Security by means of a Surety or Sureties for the due Performance of the Duties of such Office or Employment, the Head of Department or other Person or Persons in whom is vested the Discretion of determining the Nature, Amount, and Sufficiency of the Security (herein-after referred to as "the Employer") may, in the Exercise of such Discretion, accept as Security the Guarantee of any Company which complies with the Conditions contained in this Act, and which has received a Certificate from the Treasury as herein-after provided, and may fix in each Case the Amount to be guaranteed.

Conditions on which Guarantee of Company may be accepted.

3. The Conditions on which the Guarantee of a Company may be accepted under this Act are as follows:

(1.) The Capital which has been actually subscribed must not be less than Fifty thousand Pounds:

(2.) The Amount of Capital paid up must not be less than Twenty thousand Pounds:

(3.) The Company shall set aside a Special Fund of such Amount and invested in such Manner as is herein-after mentioned, and in any Case in which the Amount of Capital paid up shall be less than Thirty thousand Pounds, the First Ten thousand Pounds set aside for the Creation of such Special Fund shall be raised by new Calls on the existing Capital of the Company, or by Calls on new Capital created for that Purpose, or by both:

(4.) The Amount of any one Guarantee shall not exceed the Sums herein-after mentioned:

(5.) The Company shall within Three Weeks after their First Meeting in every Year send to the Treasury such List of the Members of the Company and Summary of Particulars as is required by the Twenty-sixth Section of The Companies Act, 1862, to be sent to the Registrar, and also a Copy of their Balance Sheet or Balance Sheets for the previous Twelvemonth, and a Statement of the Special Fund and of the other Funds of the Company, and of the actual State of Investment of such Funds, such Balance Sheet and Statement to be verified by the Auditor or Auditors of the Company.

Regulations as to Special Fund.

4. With respect to the Special Fund, the following Enactment shall be made:

(1.) The Special Fund shall be invested in the Public Funds or Government Securities of *Great Britain* or *Ireland* in the Name of such Three or more of the Directors of the Company as are from Time to Time named by the Treasury, and

and in the Matter of this Act, and the Dividends thereon shall be paid to the said Directors, but no Part of the Securities in which the Special Fund is invested shall be sold without the Consent of the Treasury, signified in Writing under the Hand of One of the Secretaries or Under Secretaries of the Treasury:

(2.) The Amount of the Special Fund shall not at the Time that any Guarantee of the Company is accepted in pursuance of this Act be less than Ten thousand Pounds, and in each Year after the Special Fund is formed a Sum of not less than One thousand Pounds out of the Assets or Income of the Company shall be added to the Special Fund, and invested as before mentioned until the Sum invested on account of the Special Fund amounts to Twenty thousand Pounds, and the said Fund may be further increased in such Manner as the Company may direct:

(3.) The Special Fund shall be liable, after the other Assets of the Company are exhausted, to meet all Claims under Guarantees given in pursuance of this Act, and all such Claims, whether accrued or contingent, shall be the sole Charge upon the Special Fund so long as there are any such Guarantees given by the Company.

Amount of Guarantee for any One Person.

5. The Amount which may be guaranteed under this Act in respect of any One Person shall not,—

(*a.*) If the Amount invested on account of the Special Fund in manner in this Act provided is less than Twenty thousand Pounds, exceed One thousand five hundred Pounds:

(*b.*) If the Amount so invested amounts to Twenty thousand Pounds and is less than Thirty thousand Pounds, exceed Three thousand Pounds:

(*c.*) If the Amount so invested amounts to Thirty thousand Pounds and is less than Fifty thousand Pounds, exceed Five thousand Pounds:

(*d.*) In any Case exceed Ten thousand Pounds:

And where any Guarantee has been given in respect of any One Person for a Sum exceeding Fifteen hundred Pounds, Three thousand Pounds, or Five thousand Pounds respectively, the Amount so invested on account of the Special Fund shall not during the Pendency of such Guarantee be reduced below Twenty thousand Pounds, Thirty thousand Pounds, or Fifty thousand Pounds respectively.

Form of Guarantee.

6. The Guarantee may be given by such Document under the Seal of the Company and in such Form as the Employer may direct, and it may be given either to Her Majesty, Her Heirs and Successors, or to the Employer, or to such Officer as the Employer may direct.

Amount of Loss may be certified.

7. Where a Company has given a Guarantee in pursuance of this Act with respect to any Person having an Office or Employment in the Public Service, and any Loss accrues owing to some Act or Default of such Person which constitutes a Breach of the Guarantee, the Employer may certify under his Hand the Amount due in respect of

of such Loss from the Guarantor, and such Certificate shall be conclusive Evidence of such Amount being due from the Guarantor; and on Payment by the Company of the Amount specified in such Certificate all Rights and Remedies to which the Employer is or may be entitled on account of the Defaulter shall vest in the Company, and the Receipt of the Employer for the Amount paid shall be conclusive Evidence of such Payment.

Treasury may issue Regulations.

8. The Treasury may issue Regulations with respect to the Acceptance and Form of any Guarantee under this Act, and with respect to the Persons who are to give Certificates of Loss, and all such Regulations shall be binding on all such Persons having any Office or Employment in the Public Service, or on that Class of Persons to which they are made applicable.

Treasury may certify Compliance of Company.

9. The Treasury, on Proof to their Satisfaction that a Company complies with the Conditions required by this Act, may, if they shall think fit, give a Certificate to that Effect; such Certificate of Compliance shall be given under the Hand of One of the Secretaries of the Treasury, and shall be published in such Manner as the Treasury direct, and after such Publication the Company named therein shall be deemed to have complied with the Conditions of this Act.

Inspection of Accounts by Treasury, and Certificate of Non-compliance with Conditions.

10. The Treasury may from Time to Time appoint an Inspector, who may inspect and examine all the Accounts and Books of a Company who gives Guarantees under this Act, and may examine the Officers and Servants of such Company, and the Company shall pay to the Inspector such Remuneration as the Treasury may fix.

If any such Company obstruct such Inspector in his Inspection or Examination, or if, on the Report of an Inspector or otherwise, the Treasury are satisfied that any such Company does not comply with the Conditions of this Act, the Treasury may give a Certificate to that Effect; such Certificate shall be given and published in the same Manner as a Certificate of Compliance, and after the Date of the Publication thereof the Company named therein shall be deemed not to comply with the Conditions of this Act, and shall not give any Guarantees under this Act until the Treasury give them a Certificate of Compliance.

Not to affect Guarantees herein named.

11. Nothing in this Act contained shall affect the Right of giving or accepting any Guarantee in any Case where a Guarantee by a Company might be given or accepted without the Authority of Parliament.

Short Title.

12. This Act may be cited for all Purposes as "The Guarantee by Companies Act, 1867."

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CIX.

An Act for extinguishing certain Rights of Way over and along *Barrack Lane* in the Borough of *New Windsor* in the County of *Berks*.

[20th *August* 1867.]

WHEREAS a certain Lane called *Barrack Lane* in the Borough of *New Windsor* in the County of *Berks*, so far as the same is affected by this Act, runs through and adjoins to Lands and Buildings which are vested in Her Majesty's Principal Secretary of State, and are held by him for Barrack Purposes:

And whereas the said Lane is subject to some Right or Rights of Way over and along the same which it is desirable should be extinguished, so as to enable the said Principal Secretary to enclose the said Lane, and to improve the Barrack Accommodation there:

And whereas there now exists by means of a public Lane or Street called *Victoria Lane* (which has been recently widened by the Surrender of Land immediately adjacent thereto, and heretofore vested in the said Principal Secretary, and which out of Monies voted by Parliament has been recently improved by the said Principal Secretary) a sufficiently commodious Way to and from

 the

the Points to and from which Access is obtained by such Right of Way over *Barrack Lane:*

And whereas, for the Reasons aforesaid, it is expedient that the said Right or Rights of Way over such Part of *Barrack Lane* as aforesaid should be extinguished, and that the said Lane, so far as it runs through and adjoins the Lands or Buildings of the said Principal Secretary, should be enclosed and used for Barrack Purposes:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Rights of Way along Barrack Lane to cease.

1. That from and after the passing of this Act all Rights of Way over and along the Lane called *Barrack Lane*, so far as it runs through and adjoins on both Sides thereof the Lands or Buildings vested in Her Majesty's Principal Secretary of State for the War Department, shall cease, and the said Principal Secretary shall stop up the said Way so far as aforesaid, and enclose and use the Site thereof for Barrack Purposes; and thereupon public Notice shall be given of the stopping up and enclosing the same by Advertisement in the *London Gazette*, and in some local Newspaper published or circulated in the Counties of *Berks* and *Bucks*, and shall be affixed on the outer Door of the Town Hall or some other public Place within the said Borough: Provided always, that within Twelve Months from the passing of this Act the said Principal Secretary shall either purchase the Interest of the Owners and Occupier of the Messuage and Premises called the *Five Bells*, situate between *Sheet Street* and *Barrack Lane*, or shall make Compensation to such Owners and Occupier for the Loss, Damage, and Injury (if any) that may be occasioned to them respectively by the passing of this Act; and the Amount of the Purchase Money or Compensation to be paid to such Owners and Occupier respectively shall, in case of Difference, be ascertained and determined by Arbitration in the following Manner, *viz*t, a Person shall be appointed in Writing as sole Arbitrator by the senior Partner for the Time being in the Firm of *Truman, Hanbury, Buxton*, and C°., or, him failing, by the next in Succession of Seniority being willing to act, and the Arbitrator shall have the same Powers in all respects as if he had been appointed under the Provisions of The Lands Clauses Consolidation Act, 1845.

LONDON:

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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the Land Forces of the *East India* Company resident in the United Kingdom who might volunteer to serve Her Majesty as enrolled Pensioners according to the said Acts, the whole Number of Pensioners of the said Hospitals and from the said Land Forces so to be enrolled in the United Kingdom not to exceed Thirty thousand:

22 & 23 Vict. c. 42.

And whereas by an Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her Majesty Provision was made for the Enrolment as a Reserve Force in the United Kingdom, not exceeding Twenty thousand Men, of Persons having previously served in Her Majesty's other Forces or in the Forces of the *East India* Company who might volunteer for Service under that Act:

And whereas it is expedient that the said Acts should be consolidated and amended as herein-after mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Reserve Force Act, 1867."

Interpretation of Terms.

2. In this Act—

The following Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"The Secretary of State" means One of Her Majesty's Principal Secretaries of State:

"The Lord Lieutenant" means the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being:

"Governor," as applied to a Colony or Possession, includes the Person for the Time being lawfully administering the Government thereof:

"The Reserve Force" means the Reserve Force established by this Act:

"Out-Pensioners of *Chelsea Hospital*" includes all Persons whose Claims for prospective or deferred Pension have been registered in virtue of any Warrant of Her Majesty.

Establishment of Reserve Force for the United

3. It shall be lawful for Her Majesty to cause to be enrolled and kept up as a Reserve Force in the United Kingdom any Number of Men, not exceeding in the whole Fifty thousand Men; such Men to be divided into Two Classes, not exceeding the respective Numbers,

Numbers, and to consist of the Descriptions of Persons, and to be liable to the different Services, herein-after respectively mentioned; (that is to say,) Kingdom, not exceeding 50,000 Men.

CLASS I.

not to exceed Twenty thousand Men;
to be liable when on permanent Service to serve in the United Kingdom or elsewhere;
and to consist of Men who are serving or have served in any of Her Majesty's Regular Forces, and whose past Service has not exceeded the First Term of Enlistment.

CLASS II.

not to exceed Thirty thousand Men;
to be liable when on permanent Service to serve only in the United Kingdom;
and to consist of—
Persons already enrolled in the United Kingdom by virtue of the said Acts or any of them;
Out-Pensioners of *Chelsea Hospital;*
Out-Pensioners of *Greenwich Hospital* having served in the Royal Marines;
Persons who are serving or have served in any of Her Majesty's Regular Forces, and who have so served for not less than the full Period of the First Term of Enlistment.

4. Subject to the express Provisions of this Act as to the Extent and Nature of their Service, the Reserve Force may be formed into such Corps and may be attached to such Regiments of any of Her Majesty's other Forces as Her Majesty may from Time to Time direct. Formation of Corps, &c.

5. The Men to be enrolled as aforesaid shall be engaged to serve for such Term or respective Terms of Years as may be directed by the Regulations made under this Act: Term of Service to be prescribed by Regulations, &c.

And every Man engaging to serve shall make and sign a Declaration in such Form as with reference to the Terms of his Engagement may be prescribed by such Regulations.

6. It shall be lawful for Her Majesty to appoint to the Reserve Force such Officers and Non-commissioned Officers of any of Her Majesty's other Forces, whether from Full or Half Pay or from the Pension Appointment of Officers.

Pension List, as Her Majesty may deem expedient, and to put the whole or any Part of the Reserve Force under the Command of such General or other Superior Officers of any of such other Forces as Her Majesty may from Time to Time be pleased to appoint.

Force to be called out for Training and Exercise for 12 Days in each Year.

7. The Reserve Force shall be called out for Training and Exercise, together or otherwise, at such Place or Places within the United Kingdom, and for such Time or Times not exceeding Twelve Days in any Year, as Her Majesty through the Secretary of State, or in *Ireland* through the Lord Lieutenant, may direct.

Power to attach Men of Class I. to the Militia.

8. Provided always, That if Her Majesty at any Time, or from Time to Time, so think fit, and through the Secretary of State or (in *Ireland*) the Lord Lieutenant so direct, all or any of the Men in Class I. of the Reserve Force may be attached for the Purpose of Training and Exercise to any Regiment or Regiments of Militia for any Time not exceeding the Time for which such Regiment or Regiments may be assembled for Training and Exercise; and in such Case all the Provisions applicable to the Militiamen of any such Regiment shall, while any such Men as aforesaid are so attached, be applicable to them, and to all other Persons in respect of them, as if they were Militiamen of such Regiment.

Reserve Force may be called out in aid of the Civil Power.

9. It shall be lawful for the Secretary of State, or in *Ireland* for the Lord Lieutenant, at any Time when Occasion may appear to them respectively to require, to call out the whole or so many of the Reserve Force as such Secretary of State or Lord Lieutenant may think necessary, to aid the Civil Power in the Preservation of the public Peace in *Great Britain* and *Ireland* respectively:

And it shall be lawful for any Officer commanding Her Majesty's Forces in any Town or District, on the Requisition in Writing of any Justice of the Peace, to call out for the Purpose aforesaid the Men enrolled in the Reserve Force who may be resident in such Town or District, or such of them as he may think necessary.

In case of Invasion or War, Reserve Force may be called out for permanent Service.

10. In case of actual Invasion or imminent Danger thereof, or in case a State of War exists between Her Majesty and any Foreign Power, it shall be lawful for Her Majesty, by Proclamation, to direct that the Reserve Force, or such Part thereof as Her Majesty may think fit, be called out on permanent Service:

Upon the issuing of any such Proclamation, the Men in Class I. of the Reserve Force, or those of them to whom such Proclamation applies, shall become subject to general Service with Her Majesty's Army,

Army, and the Men in Class II. of the Reserve Force, or those of them to whom the Proclamation applies, shall become liable to serve in aid of the Defence of the Realm, in any Part of the United Kingdom where their Services may be required :

And the said Force, or such Part thereof as may be so called out, shall serve in pursuance of such Proclamation until it be signified to them by Her Majesty's Command that their Services are no longer required, but so nevertheless that the Services of Men so called out shall not be required under such Proclamation beyond Six Months after Peace has been next proclaimed.

Reserve Force may volunteer for Duty.

11. It shall be lawful for Her Majesty through the Secretary of State, or in *Ireland* through the Lord Lieutenant, to direct that such and so many of the Reserve Force as volunteer their Services may be kept on Duty and Pay for any Period not exceeding Six Months in the same Way as the Regular Forces of Her Majesty's Army, and any Person who volunteers for such Service shall be liable to serve accordingly.

Reserve Force, when on Service, to be subject to the Mutiny Act.

12. Whenever the Reserve Force or any Part thereof is called out for Training and Exercise,

or when any of such Force having volunteered their Services for that Purpose are kept on Duty as aforesaid,

or when such Force or any Part thereof is called out in aid of the Civil Power as aforesaid, or is called out on permanent Service under Her Majesty's Proclamation,

all the Provisions of any Act then in force for punishing Mutiny and Desertion and for the better Payment of the Army and their Quarters, and the Articles of War in force under the Authority of such Act, shall apply to and in respect of the said Force or such Part thereof as may be or ought to be on Duty on any of the Occasions aforesaid, and the Officers and Non-commissioned Officers appointed to command them, as fully as such Act and Articles may be applicable to and in respect of Her Majesty's Regular Forces; and Offences committed by such Officers and Non-commissioned Officers and the Men of such Force as may be or ought to be on Duty on any of the Occasions aforesaid may be inquired of and tried by Court-martial assembled under the Provisions of any such Act according to the usual Discipline of Her Majesty's Army ;

and Courts-martial for the Trial of any such Offences may be holden, and the Punishment awarded by any such Court-martial may be inflicted, either during the Time for which such Officers,

Non-commissioned Officers, and Men are or ought to be so on Duty as aforesaid, or at any Time within Twelve Months after the Offence has been committed or the Offender has been apprehended.

Punishment for Absence or Desertion.

13. Every Man enrolled in the Reserve Force who, without Leave lawfully granted, or Sickness certified according to any Regulations made under this Act, does not appear at the Time and Place appointed for his Training and Exercise, or for permanent or voluntary Service, or for his Service in aid of the Civil Power, or who having appeared or joined the Force at the Place appointed deserts or absents himself before the Expiration of the Time of Training and Exercise, or before being duly discharged from such permanent or voluntary or other Service as aforesaid, shall be deemed a Deserter, and be liable to be tried and punished by Court-martial under the foregoing Provision, and be also liable to such Forfeiture of Pay, Pension, or Allowance as may be directed by the Regulations made under this Act.

Penalty for damaging or selling or purchasing Accoutrements, &c.

14. Every Man enrolled in the Reserve Force who carelessly loses, destroys, or damages any Arms, Accoutrements, Ammunition, or Clothing provided for him or entrusted to his Charge, shall be liable to make good the same out of his Pay, Pension, or Allowance as may be directed by any Regulations made under this Act, together with such Penalty, not exceeding double the Amount of such Loss or Damage, as the Secretary of State may direct;

and every such Man who wilfully damages or destroys, or who sells, pawns, or otherwise unlawfully disposes of any such Arms, Accoutrements, Ammunition, or Clothing, shall be liable to such Forfeiture of Pay, Pension, or Allowance as may be directed by such Regulations:

And any Person knowingly purchasing or receiving the same shall, on summary Conviction before any Justice of the Peace, forfeit any Sum not exceeding Five Pounds;

and One Moiety of such Penalty shall go to the Person who informs for the same, and the other Moiety, or where the Offence is proved by the Informer, then the whole of the Penalty, shall be paid and applied in such Manner as the Secretary of State may direct, anything in any Act to the contrary notwithstanding:

And every Justice who adjudges any such Penalty shall within Four Days report the same and his Adjudication thereof to Her Majesty's Principal Secretary of State for the War Department; and in this Enactment the Terms "Justice of the Peace" and "Justice"

"Justice" shall respectively include, as regards *Scotland*, Sheriff, Sheriff Substitute, and Magistrate.

Regulations to be made by Secretary of State.

15. Subject to the Provisions of this Act, it shall be lawful for the Secretary of State to make Regulations in relation to the Execution of this Act, as follows:

as to the Ages and other Qualifications of Men to be enrolled thereunder;

as to the Term or Terms of Service of Men to be so enrolled;

as to the Declarations to be made on or in relation to being so enrolled;

for the Pay of the Officers and Non-commissioned Officers appointed, and Men so enrolled;

for Pensions of Men in respect as well of their Services under this Act as of their previous Services;

as to the Arms, Clothing, Equipment, and Allowances of such Officers, Non-commissioned Officers, and Men;

for the Government of the said Force;

for Fines and Penalties or Forfeitures for Absence from, or Misconduct during, Training and Exercise, or during permanent, voluntary, or other Service, or for the Breach of any of the said Regulations, and the Deduction of such Fines and Penalties from any Pay, Allowance, or Pension which may become due to the Offender;

and as to any Matters by this Act made subject to Regulations made thereunder.

Provisions of Turnpike and Railway Acts as to Soldiers to apply to the Force under this Act.

16. For the Purposes of all Enactments relating to Turnpike Roads and to Tolls, the Men enrolled and Officers and Non-commissioned Officers appointed under this Act while on Duty, or going to or returning from any Place of Training and Exercise, or of permanent, voluntary, or other Service, shall be deemed Soldiers and Officers of Her Majesty on Duty, and all such Enactments having reference to Officers and Soldiers on Duty shall be construed accordingly; and the Enactments for the Time being in force concerning the Conveyance by Railway of Her Majesty's Forces of the Line, and their Baggage, Stores, Arms, Ammunition, and other Necessaries and Things, shall apply to the Conveyance of the Reserve Force, their Baggage, Stores, Arms, Ammunition, Necessaries, and Things, and as well with respect to the Officers and Non-commissioned Officers appointed under this Act as with respect to the Men enrolled in such Force.

Men to be exempted from serving

17. Men enrolled and Officers and Non-commissioned Officers appointed under this Act shall not be liable to serve on any Jury, nor

Parish Offices, &c.

nor to serve the Office of Constable, or any other Parochial, Township, or Borough Office.

Provisions of this Act to apply for enrolling Out-Pensioners as a local Force in any Colony, and with respect to such Force.

18. The Provisions of this Act shall apply to all Out-Pensioners of *Chelsea Hospital* and to all Out-Pensioners of *Greenwich Hospital* who have served in the Royal Marines residing in any of Her Majesty's Colonies and Possessions abroad in which any Officers have been or may be appointed, pursuant to any Act for the Time being in force for the Payment and Superintendence of the said Out-Pensioners:

And it shall be lawful for Her Majesty, from Time to Time, by Warrant under the Royal Sign Manual, to fix the Number of Men to be enrolled in every such Colony and Possession as a local Force, and to cause them to be armed and equipped as the Governor may direct:

And all the Provisions of this Act for calling out the Reserve Force, or any Part thereof, for Training and Exercise, for calling out such Force, or any Part thereof, on any of the Occasions herein-before in this Behalf mentioned, and for keeping on Duty and Pay such of the Reserve Force as volunteer their Services, and otherwise in relation to Class II. of such Force and to other Persons in respect of such Force, and authorizing Regulations to be made concerning the Service of the Men, and otherwise, shall apply to and in respect of such local Force as aforesaid in any such Colony or Possession, and to or in respect of any like Force established under any of the Acts hereby repealed, the same Colony or Possession being substituted for the United Kingdom, and the Governor of such Colony or Possession being substituted for the Secretary of State.

Warrants and Regulations to be laid before Parliament.

19. All Warrants and Regulations to be issued or made under this Act shall be laid before both Houses of Parliament within Fourteen Days next after the issuing or making thereof, if Parliament be then sitting, or if Parliament be not sitting, then within Fourteen Days after the next meeting of Parliament.

Acts in Schedule to this Act repealed.

20. The Acts mentioned in the Schedule to this Act are hereby repealed;

but such Repeal shall not, save as herein otherwise provided, affect any past Act, or any existing Right, or any Remedy in respect thereof, or the Proof of any past Act;

and all existing Regulations made under the Authority of any Act hereby repealed shall be of the same Force and Effect as if made under this Act;

and every existing Commission and Appointment by or under the Acts hereby repealed or any of them shall be of the same Force and Effect

Effect for the Execution and for all the Purposes of this Act, and shall be revocable in like Manner, as if the same were granted hereunder; and any such Commission or Appointment having reference to any of the Descriptions of Persons composing Class II. of the Reserve Force shall have Effect with reference to all Descriptions of Persons composing such Class;

and any Offence against any of the said Acts committed before the passing of this Act shall be punished as if this Act had not been passed.

SCHEDULE.

ACTS REPEALED.

6 & 7 Vict. c. 95.	An Act for rendering more effective the Services of such Out-Pensioners of Chelsea Hospital as shall be called out to assist in preserving the public Peace.
9 & 10 Vict. c. 9.	An Act for amending the Act for rendering effective the Services of the Chelsea Out-Pensioners, and extending it to the Out-Pensioners of Greenwich Hospital.
10 & 11 Vict. c. 54.	An Act to amend the Acts for rendering effective the Service of the Chelsea and Greenwich Out-Pensioners.
11 & 12 Vict. c. 84.	An Act to amend the Acts for rendering effective the Service of the Chelsea and Greenwich Out-Pensioners, and to extend them to the Pensioners of the East India Company.
22 & 23 Vict. c. 42.	An Act to provide for the Establishment of a Reserve Force of Men who have been in Her Majesty's Service.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Establishment of Militia Reserve.

3. The Secretary of State may cause to be enlisted from Time to Time under this Act such Men from the Militia of the United Kingdom as may be willing, with the Consent of the Commanding Officers of their respective Regiments, so to enlist themselves:

The total Number of Men enlisted under this Act from the respective Militias raised in *England*, *Scotland*, and *Ireland* shall not at any One Time exceed in Number One Fourth Part of the respective Quotas of Private Militiamen for the Time being fixed by Law to be raised therein respectively:

Subject to the Limitation herein-before contained, the Secretary of State may fix, at his Discretion, by Order under his Hand, the greatest Number of Militiamen that may for the Time being be enlisted as aforesaid out of each or any Regiment of Militia.

Term and Mode of Enlistment.

4. Every Man to be enlisted under this Act shall be so enlisted for the Term of Five Years, and further to serve until he is legally discharged, if, at the Expiration of such Term, he is upon Army Service, and shall be attested accordingly before a Justice of the Peace as in the Case of ordinary Army Enlistment, save as otherwise provided by any Regulations made under this Act.

Militia Engagement extended on Enlistment under this Act.

5. The then existing Engagement in the Militia of any Man who is enlisted under this Act shall be deemed extended for the Term of Five Years for which he is so enlisted, and he shall accordingly, save as herein otherwise provided, be deemed for all Purposes a Militiaman during such Term in like Manner as if he had been lawfully and duly enrolled to serve for such Term in the Militia Regiment to which he formerly belonged; and upon his becoming subject as herein-after provided to Army Service, but not before, his Place in the Militia shall be deemed vacant, and be filled up as by Law provided in relation to casual Vacancies in the Militia.

Enlisted Men volunteering for that Purpose may be trained with the Army.

6. The Secretary of State may cause any Men enlisted under this Act who may volunteer for such Training and Exercise to be trained and exercised with any Part of Her Majesty's Army during any Time or Times not exceeding in the whole Fifty-six Days in any One Year;

all or any Part of the Time or Times of Training and Exercise as aforesaid of any Man volunteering as aforesaid may be in addition to, or, with the Consent of the Commanding Officer of the Regiment of Militia to which such Man may belong, in substitution for, all or any Part of the Period of Training and Exercise with and as Part of the Militia to which such Man would or might otherwise be subject.

Secretary of State may discharge

7. The Secretary of State may, at his Discretion, at any Time discharge any Man enlisted under this Act from his Enlistment,

so far as it subjects him to Army Service; and any Man so discharged shall thenceforth for the Remainder of his Term of Enlistment be deemed a Militiaman only, and be subject to all Provisions affecting Militiamen accordingly.

Men from Enlistment under this Act so far as respects Army Service.

Nothing in this Enactment shall affect the Power of the Secretary of State to discharge such Man from the Militia.

8. Whenever a State of War exists between Her Majesty and any Foreign Power, and in all Cases of actual Invasion or imminent Danger thereof, it shall be lawful for Her Majesty (the Cause being first communicated to Parliament if Parliament be then sitting, or declared in Council and notified by Proclamation if Parliament be not then sitting,) from Time to Time to order that, on such Day as may be mentioned in Her Majesty's Order in this Behalf, the Men enlisted under this Act, or such of them as Her Majesty may judge necessary, and by such Order direct, shall enter upon Army Service, and for that Purpose shall attend at such Place or Places and at such Time or Times as shall be duly notified in this Behalf.

In what Events Men enlisted may be ordered to enter upon Army Service.

9. On the Day fixed in such Order of Her Majesty as aforesaid, and thenceforth until it be signified by Her Majesty's Command to the Men to whom such Order applies that their Services are no longer required, such Men shall be deemed upon Army Service, and they shall form Part of Her Majesty's Army as if they were Men who had been duly enlisted in and attested for Her Majesty's Army for General Service, and whose Enlistment and Attestation had been completed on the Day aforesaid; but so, nevertheless, that the Services of Men enlisted under this Act shall not be required under any such Order of Her Majesty as aforesaid beyond Six Months after Peace has been next proclaimed.

Effect of Order for Entry upon Army Service.

10. Subject to the Provisions herein-before contained, Men enlisted under this Act who have entered upon Army Service under this Act shall, on its being signified to them as aforesaid that their Services are no longer required, return and serve, for the Remainder (if any) of their respective Terms of Enlistment, to and in the Militia Regiments to which they respectively belonged when they enlisted under this Act, and such Men shall hold such Rank and be entitled to such Pay and Allowance as they held and possessed when they entered upon Army Service under Her Majesty's Order; and if, by reason of their Places being supplied, there is no Opportunity for their resuming their former Position consistently with the ordinary Organization of any Militia Regiment to which they belonged, they shall be Supernumeraries thereof, with such Rank, Pay, and Allowances as aforesaid, until they can occupy their former Position.

On Dismissal from Army Service Men to return to their Militia Regiments for Remainder of Term of Enlistment.

11. During

When enlisted Men are being trained with the Army, or are upon Army Service, Mutiny Act and Articles of War to apply to them.

11. During any Time for which any Men enlisted under this Act may have volunteered to be trained and exercised with any Part of Her Majesty's Army, and whenever any Men enlisted under this Act are upon Army Service, all the Provisions of the Mutiny Act and Articles of War shall apply to such Men and to all Persons whomsoever in respect of them, as fully as such Act and Articles may be applicable to and in respect of Her Majesty's Regular Forces; and Offences committed by such Men may be inquired of and tried by Court-martial assembled under the Provisions of any such Act according to the usual Discipline of Her Majesty's Army;

and Courts-martial for the Trial of any such Offences may be holden, and the Punishment awarded by any such Court-martial may be inflicted, either during the Time for which such Men have volunteered to be trained and exercised, or (as the Case may be) are upon Army Service, or at any Time within Twelve Months after the Offence has been committed or the Offender has been apprehended.

Power to Secretary of State to make Regulations.

12. It shall be lawful for the Secretary of State from Time to Time to make Regulations in relation to Men enlisted under this Act, as follows:

as to the Amount of the Sums to be paid to Men so enlisting by way of Bounty or periodical Payment or Allowance in consideration of their Enlistment, and as to the Time or respective Times, Conditions, and Manner of the Payment thereof;

as to the Ages between which Men may be enlisted;

as to the Height and for the Examination and Approval of all Men to be enlisted under this Act;

as to the Oaths or Declarations to be made by Men so enlisted on their Attestation;

as to the Mode of giving Notices to Men when required to enter upon Army Service as herein provided;

and as to any Matter by this Act made subject to Regulations made thereunder.

Regulations to be laid before Parliament.

13. All Regulations to be made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof, if Parliament be then sitting, or if Parliament be not sitting, then within Twenty-one Days after the next meeting of Parliament.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXII.

An Act to provide further Facilities for the Repair of Roads, Bridges, and other Public Works in *Ireland* in case of sudden Damage.

[20th *August* 1867.]

WHEREAS it is expedient that there should be further Facilities for the Repair of Roads, Bridges, and other Public Works in *Ireland* in case of sudden Damage:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Any Three Justices may order Sums not exceeding 50*l.* for repairing sudden Damages to Roads, &c.

1. Any Three Justices of the Peace at Petty Sessions in any County, County of a City, or County of a Town in *Ireland* may, by Writing under their Hands, order any Sum not exceeding Fifty Pounds to be expended in repairing any Road, Bridge, Pier, Quay, Wall, House, Building, or other Work in such County, County of a City, or County of a Town, now or hereafter to be constructed and maintained by Grand Jury Presentment, which may be suddenly damaged, or in erecting a temporary Bridge, Gullet, Pier, Quay, Wall, or Fence in place of any Bridge, Gullet, Pier, Quay, Wall, or Fence suddenly carried away or destroyed, or in collecting and preserving the Materials of such Bridge, Gullet, Pier, Quay, Wall, or Fence, provided it shall appear to them that the Repairs of such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, or the other Matters hereby authorized to be done, cannot be delayed until the next Assizes without Prejudice to the Public, and that the Necessity of the same shall be notified to them by the County Surveyor; and it shall be lawful for such

Justices to appoint a proper Person or Persons to repair the same, or to execute such other Works as aforesaid, and the Grand Jury of any such County, County of a City, or County of a Town is hereby empowered to present at the next Assizes the Sum so expended in repairing any such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, or in executing such other Works as aforesaid, to be levied on such County at large, or on the Barony, or on the County of a City or County of a Town in which the same is situate, according as the same is liable to be repaired or executed by the said County at large, or by the said Barony, or by the said County of a City or County of a Town; and the Sum so presented in the said several Cases shall be paid to the Person or Persons so appointed by such Justices to make such Repairs or execute such Works as aforesaid upon his or their producing such Order under the Hands and Seals of the said Justices, and also a Certificate under the Hand of the County Surveyor that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, that the same Justices of the Peace shall not make or sign more than One Order for the Expenditure of any Sum as aforesaid for the Reparation of the like sudden Damage between the Termination of one Assize and the Commencement of another.

In case of sudden Damage, Three Justices and Five Cesspayers may present Memorial to Lord Lieutenant.

2. When any Road, Bridge, Pier, Quay, Wall, House, Building, or other Work now or hereafter constructed or maintained by Grand Jury Presentment, and situate wholly within any County, County of a City, or County of a Town in *Ireland*, has been suddenly damaged, and it shall appear to any Three Justices of the County, County of a City, or County of a Town in which the same is situated, and to any Five of the Cesspayers appointed by the Grand Jury at the then preceding Assizes of the said County, County of a City, or County of a Town to be associated with the Justices at the ordinary Presentment Sessions to be holden next after such Assizes for the Purposes of the Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen, for the Barony, Half Barony, County of a City, or County of a Town in which such Damage or the greater Part thereof has occurred, that the Repairs of such Road, or that the Repairs or rebuilding of any such Bridge, Pier, Quay, Wall, House, Building, or other Work, cannot be delayed without Prejudice to the Public, and that the County Surveyor shall certify the Necessity of the same, and that the probable Cost of the same will exceed Fifty Pounds, it shall be lawful for the said Justices and Cesspayers to present a Memorial, signed by each of them, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, stating the Nature of the sudden Damage to such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, the said Certificate of the County Surveyor, the Nature of the Works which are necessary, the Reasons why the same cannot be delayed without Prejudice to the Public, the probable Cost of the same, and the Mode in which the Cost of the Construction and Maintenance of such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work was levied, and praying that he or they should order that an Extraordinary Presentment

Presentment Sessions for the County at large, Barony, Half Barony, County of a City, or County of a Town previously chargeable with the said Cost of Maintenance, or the greater Part thereof, should meet and assemble to consider an Application to be made by the said County Surveyor for the Works necessary to repair the said Damage.

Lord Lieutenant may direct Presentment of Works under this Act.

3. Whenever any such Memorial shall have been presented as aforesaid it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he or they shall so think fit, by a Notice to be published in the *Dublin Gazette*, and also in One or more Newspapers circulating in the District in which Damage is stated in said Memorial to have occurred, and of which Notice Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to direct and require that an Extraordinary Presentment Sessions for the County at large, Barony, Half Barony, County of a City, or County of a Town mentioned in said Memorial, shall meet and assemble at such Place in such District, for the Purpose of considering the Application for repairing the Damage stated as aforesaid, on such Day and Hour as shall be specified in such Notice, not being sooner than Five nor later than Ten Days after the Publication of such Notice in the Gazette as aforesaid; and it shall and may be lawful for every Justice of the Peace for the County, County of a City, or County of a Town in which such Extraordinary Presentment Sessions are holden respectively, not being a Stipendiary Magistrate, to attend, and such Justices respectively, and the Cesspayers associated with them respectively, as herein-after provided, are hereby required to assemble and to hold such Extraordinary Presentment Sessions respectively, for the Purposes of this Act, in such Place and at such Time as shall have been so appointed; and such Extraordinary Presentment Sessions shall in all respects be constituted as if the same had been appointed as an Ordinary Presentment Sessions by the Grand Jury of the said County, County of a City, or County of a Town by Presentment at the then preceding Assizes; and the Provisions contained in the said Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth relative to the Selection of a Chairman, and of the Cesspayers to be associated with the Justices or Justice at Presentment Sessions, and to the Casting Voice of such Chairman, shall, so far as the same are applicable, extend to such Extraordinary Presentment Sessions under this Act; and the Secretary of the Grand Jury and the County Surveyor shall attend thereat.

Justices to hold Sessions for the Purposes of this Act at the Time and Place appointed.

Applications to be made by County Surveyor.

4. The said County Surveyor shall make Application to such Extraordinary Presentment Sessions for the Works necessary to repair the Damage mentioned in the Notice of the holding of such Sessions, and for any temporary Works which may be necessary for the Convenience of the Public during the Progress of the said Works, and such Application shall be made in the Manner appointed for the making of Applications to Presentment Sessions by the recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth; and it shall not be necessary to lodge any

any such Application with the Secretary of the Grand Jury, but such Application shall be delivered to the Chairman at such Extraordinary Presentment Sessions, and shall be dealt with thereat in the Manner herein-after provided.

Proceedings at Extraordinary Presentment Sessions.

5. At any Extraordinary Presentment Sessions holden as hereinbefore provided the Justices and Cesspayers associated in the Business of such Sessions shall take into consideration the Application of the County Surveyor, and if the said Justices and Cesspayers at such Sessions as aforesaid shall approve of such Application, and of the Cost of the proposed Works, either wholly or in part, or of any Modification thereof, they shall direct the said County Surveyor to prepare such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and to deliver the same when prepared to the Secretary of the Grand Jury, and also to prepare a proper Form of Tender for the Execution of such Works, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing and executing the same, and the Term within which the same shall be completed, and such other Particulars as the said Justices and Cesspayers shall think fit to prescribe, and the said Justices and Cesspayers shall appoint the Manner in which Notice for the Receipt of sealed Tenders and Proposals for the Execution of such Work shall be given, and the Period during which they shall be received, and shall direct that such Tenders and Proposals shall be opened by the Grand Jury at the then next succeeding Assizes; and the Chairman of such Sessions shall endorse such Application accordingly, and sign his Name thereto, and deliver such Application, so endorsed, to the Secretary of the said Grand Jury.

Application, Tenders, and Proposals to be laid before Grand Jury.

6. Such Application, sealed Tenders and Proposals, shall be laid before the Grand Jury of the County, County of a City, or County of a Town in which such Extraordinary Sessions shall have been held, at the then next succeeding Assizes, and shall be subject to such and the like Regulations in all respects as like Applications, Tenders, and Proposals are respectively subject to under the Provisions of the recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, and any Act or Acts amending the same: Provided always, that the said Grand Jury shall present to be levied off such County at large, County of a City, or County of a Town, such Sums as shall be necessary to defray the Cost of all copying or printing necessary for the Purposes of this Act, and also such other Sums of Money to be paid to the Secretary of the Grand Jury, and to the County Surveyor or his Assistants, as shall have been actually expended by them respectively for their Expenses out of Pocket in or in respect of their respective Attendance at any such Extraordinary Presentment Sessions as herein provided.

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXIII.

An Act for facilitating the Distribution of Sewage Matter over Land, and otherwise amending the Law relating to Sewer Authorities.

[20th *August* 1867.]

WHEREAS the Governing Bodies of Cities, Towns, and other Places are required by divers Acts of Parliament effectually to drain their Districts: And whereas it is expedient to give further Facilities for the Distribution for Agricultural Purposes of Sewage Matter over Land, and otherwise to amend the Law relating to Sewer Authorities:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as The Sewage Utilization Act, 1867. Short Title.

2. The Expression "Sewer Authority" shall in this Act have the same Meaning as in The Sewage Utilization Act, 1865, and in addition Definition of Sewer Authority.

addition shall include a Local Board, and shall in this Act and the said Sewage Utilization Act, 1865, include any Collegiate or other Corporate Body required or authorized by or in pursuance of any Act of Parliament to divert its Sewers or Drains from any River or to construct new Sewers, and any Public Department of the Government; and any Person appointed by the Secretary of State in pursuance of the Forty-ninth Section of The Sanitary Act, 1866, to perform the Duty of a Sewer Authority or Local Board that has been guilty of a Default as therein mentioned, shall, in the Performance of such Duty and for the Purposes thereof, be invested with all the Powers of the Sewer Authority or Local Board in default, except the Power of levying Rates.

Powers for Distribution of Sewage.

Sewer Authority may exercise without their District Powers in relation to Distribution of Sewage.

3. A Sewer Authority may, without their District, provide any Works and do any Act for the Purpose of receiving, storing, disinfecting, or distributing Sewage which they may provide or do within their District, subject to the Conditions to which they would be subject in providing such Works or doing such Acts within their District, and to the Conditions imposed on Local Boards in carrying into effect the Fourth Section of The Local Government Act (1858) Amendment Act, 1861.

Sewer Authority may purchase Land for Distribution of Sewage in pursuance of Sect. 75 of Local Government Act. 21 & 22 Vict. c. 98.

4. A Sewer Authority for the Purpose of receiving, storing, disinfecting, and distributing Sewage, and of the Construction of any Works for receiving, storing, disinfecting, or distributing Sewage, and of the Construction of any Sewer or Drain, or for any of the above Purposes, may purchase or take on Lease any Lands either within or without their District, and shall for carrying into effect any such Purchase have all the Powers of taking Land conferred by the Seventy-fifth Section of The Local Government Act, 1858, as amended by this Act.

Power for Sewer Authority to deal with Land appropriated to Sewage Purposes.

5. A Sewer Authority may deal with any Land held by them for the Purpose of receiving, storing, disinfecting, or distributing Sewage in such Manner as they deem most profitable, either by leasing the same for a Period not exceeding Seven Years for Agricultural Purposes, or by contracting with some Person to take the whole or a Part of the Produce of such Land, or by farming such Land and disposing of the Produce thereof; subject to this Restriction, that in any Appropriation which may be made of Land held by a Sewer Authority for the above Purposes, Care shall be taken that Provision be made for receiving, storing, disinfecting, or distributing all the Sewage which it is the Duty of the Sewer Authority to cause to be disposed of in that Manner.

Special

Special Drainage District.

Repeal of Part of Sect. 2 of 28 & 29 Vict. c. 75., excluding from Act Parish partly under Local Government Act.

6. There shall be repealed so much of the Second Section of "The Sewage Utilization Act, 1865," as provides that "this Act "shall not, with the Exception of Clause Fifteen, extend to any "Parish as defined in the Schedule to this Act, in a Part of which "Parish The Public Health Act, 1848, and The Local Government "Act, 1858, or One of such Acts, is in force at the Time of the "passing of this Act."

Where Part of Parish is at Time of passing of this Act under 21 & 22 Vict. c. 98., the other Part constituted a Special Drainage District.

7. Where Part of a Parish as defined in the Schedule to The Sewage Utilization Act, 1865, as amended by this Act, is at the Time of the passing of this Act subject to the Jurisdiction of a Local Board in pursuance of the Local Government Act, 1858, the Portion of such Parish which is not subject to the Jurisdiction of any Local Board shall for the Purposes of The Sewage Utilization Act, 1865, and of this Act, be deemed to be by this Act constituted a Special Drainage District, unless the Secretary of State, upon Petition presented to him in manner provided by the Sixth Section of The Sanitary Act, 1866, within Three Months after the passing of this Act, otherwise directs.

It shall not be necessary in the Case of Part of a Parish which is by this Section constituted a Special Drainage District, to give the Notices required by Section Seven of The Sanitary Act, 1866.

Power of undefined inhabited Place to apply to be constituted a Special Drainage District.

8. Any inhabited Place not having a known or defined Boundary may petition One of Her Majesty's Principal Secretaries of State in manner provided in the Sixteenth Section of The Local Government Act, 1858, to settle its Boundaries for the Purposes of The Sewage Utilization Act, 1865, and of this Act, and the Secretary of State may, by Order made in manner provided by the said Section, settle the same accordingly, and from and after the Date of such Order the Place shall be deemed to have been constituted a Special Drainage District for the Purposes of the said Sewage Utilization Act, 1865, and of this Act.

A Copy of the Order of the Secretary of State shall be published in manner provided by the Seventh Section of The Sanitary Act, 1866, and that Section shall be construed in reference to a Special Drainage District formed under this Section as if the Order of the said Secretary of State were substituted for "Resolution of a Sewer Authority."

Time for Appeal against Special Drainage District.

9. No Petition of Appeal shall be presented to the Secretary of State in pursuance of the Sixth Section of The Sanitary Act, 1866, except within Three Months after the Date of the Resolution forming the District, and the said Section shall be read as if after the

the Words "Petition in Writing under their Hands" there were inserted the Words "presented within Three Months after the Date "of the Resolution forming the District."

Union of Districts.

Constitution of Joint Sewerage District.

10. Where it appears to the Sewer Authority of any District that it would be for the Advantage of such District, and of any District or Districts adjoining or lying within the same Drainage Area, or otherwise conveniently situate, that all such Districts should be formed into a United District for the Purposes of The Sewage Utilization Act, 1865, and of this Act, or for any of such Purposes, such Sewer Authority may, with the Consent of the Sewer Authority of every District affected, apply to One of Her Majesty's Principal Secretaries of State for an Order forming such Districts into One District, herein-after referred to as a United District, and the Secretary of State, if satisfied of the Expediency of such Union of Districts, may make an Order accordingly.

Advertisement of Intention to form United District.

11. The Intention of a Sewer Authority to apply to One of Her Majesty's Principal Secretaries of State for an Order forming a United District shall be advertised in some Newspaper circulating within the Area of such proposed United District once at least in each of the Three Weeks before such Application is made.

Constitution of Joint Sewerage Board.

12. A United District shall be subject to the Jurisdiction of a Joint Sewerage Board consisting of Members elected by each of the Sewer Authorities of the component Districts in such Manner as may be determined by the said Secretary of State, and such Board shall be a Body Corporate, with perpetual Succession and a Common Seal, having a Capacity to acquire and hold Lands for all the Purposes of The Sewage Utilization Act, 1865, and of this Act, or for any of such Purposes.

The First Meeting of a Joint Sewerage Board shall be held in such Manner and at such Time as may be determined by the said Secretary of State, and "the Rules as to Proceedings of Drainage Boards" contained in the Second Part of the Schedule annexed to The Land Drainage Act, 1861, shall apply to a Joint Sewerage Board constituted under this Act.

Powers of Joint Sewerage Board.

13. A Joint Sewerage Board shall, in the United District, have all the same Powers, except the Power of levying a Rate, and be subject to the same Obligations, so far as relate to the Purposes of its Constitution, as if it were the only Sewer Authority of that District, subject

subject to this Proviso, that the said Joint Board may delegate to any Sewer Authority of a component District such Powers of Superintendence or otherwise within its own District as such Joint Board think fit.

Expenses of Joint Sewerage Board how defrayed.

14. Any Expenses incurred by a Joint Sewerage Board in pursuance of this Act shall be defrayed out of a Common Fund to be contributed by the component Districts in proportion to the rateable Value of each District, or in such other Proportion as the said Secretary of State may, with the Consent of the Sewer Authority of each component District, by Order determine.

The rateable Value of a District shall be deemed to be the Value on which any such Rate would be assessed as would, if such District were not in union, be applicable by the Sewer Authority of that District to the Payment of any Expenses legally incurred by that Authority, and the Amount of Contribution shall be paid out of such last-mentioned Rate, and the Sewer Authority of each component District shall levy the same accordingly.

Contribution to Works under Contracts.

Sewer Authority, &c. may contribute to Works under Contracts relating to Supply of Sewage.

15. Where a Sewer Authority, or any Corporate or other Body, under any Power enabling them in that Behalf, or by any Agreement confirmed by Parliament, has agreed or hereafter agrees with any Person or Persons or Body of Persons, corporate or unincorporate, as to the Supply of all or any of the Sewage of any Place, and the Works to be made for the Purpose of that Supply, they may contribute to the Expense of carrying into execution by such Person or Persons or Body of Persons all or any of the Purposes of such Agreement, and may become Shareholders in any Company with which any Agreement in relation to the Matters aforesaid has been or may hereafter be entered into by such Sewer Authority or Corporate or other Body, or to or in which the Benefits and Obligations of such Agreement may have been or may be transferred or vested; and all Expenditure in consequence of the Exercise of the Power hereby conferred shall be deemed to have been incurred by such Sewer Authority or Corporate or other Body in the Construction or due Maintenance of the necessary Sewers for carrying away the said Sewage, and shall be provided for accordingly.

Amendment of Acts.

Amendment of Definitions.

16. "Parish" in the Schedule to The Sewage Utilization Act, 1865, shall include any Township or other Place in which a separate Rate is levied for the Relief of the Poor, and "Sewer Authority" in the Thirty-seventh Section of The Sanitary Act, 1866, shall include a Local Board.

17. Where

Sewage.

In Parishes a separate Rate to be levied for Sewage Purposes.

17. Where the Sewer Authority of a District is a Vestry, Select Vestry, or other Body of Persons acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of Vestry or Select Vestry, such Authority shall for the Purpose of defraying any Expenses incurred in carrying into effect The Sewage Utilization Act, 1865, or this Act, issue their Precept to the Overseers of the Parish of which they are the Authority, requiring such Overseers to pay over the Amount specified in such Precept to the Sewer Authority, or to their Officer named in the Precept, or into some Bank mentioned in such Precept.

The Overseers shall comply with the Requisitions of such Precept by levying a separate Rate in the same Manner as if it were a Rate for the Relief of the Poor, with this Exception, that the Owner of any Tithes or of any Tithe Commutation Rentcharge, or the Occupier of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and the Occupier of any Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall, where a special Assessment is made for the Purpose of such Rate, be assessed in respect of such Property in the Proportion of One Fourth Part only of the rateable Value thereof; or, where no special Assessment is made, shall pay in respect of the said Property One Fourth Part only of the Rate in the Pound payable in respect of Houses and other Property.

A separate Rate under this Act shall, as respects the Powers of the Overseers in relation to making, assessing, and levying such Rate, and as respects the Appeal against the same, and all other Incidents thereof except the Purposes to which it is applicable, be deemed to be a Rate levied for the Relief of the Poor.

The Expression "Overseers" shall include any Officer authorized to levy a Rate in a Special Drainage District, and any Person or Body of Persons authorized or required to levy Rates for the Relief of the Poor.

Penalty on Nonpayment of Rates by Overseers.

18. In case the Amount ordered by any Precept of a Sewer Authority to be paid by the Overseers of any Parish be not paid in manner directed by such Precept and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Sewer Authority or by any Person authorized by the Sewer Authority, to issue his Warrant for levying the Amount or so much thereof as may be in arrear by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the

next

next Levy which is directed to be made in such Parish for the Purposes of The Sewage Utilization Act, 1865, or this Act, and shall be collected by the like Methods.

Saving Clause.

19. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Authority by Act of Parliament, Law, or Custom, and such other Powers may be exercised in the same Manner as if this Act had not passed. Powers of Act to be in addition and not in derogation of other Powers.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. CXIV.

An Act to extend the Jurisdiction, alter and amend the Procedure and Practice, and to regulate the Establishment of the Court of Admiralty in *Ireland*. [20th *August* 1867.]

WHEREAS it is expedient to extend the Jurisdiction and alter and amend the Procedure and Practice of the High Court of Admiralty of *Ireland*; to alter the Mode of appealing therefrom; to regulate the Establishment of the Court, and to substitute Stamps for Court Fees therein:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Court of Admiralty (*Ireland*) Act, 1867." Short Title.

2. In the Interpretation and for the Purposes of this Act (if not inconsistent with the Context or Subject) the following Terms shall have Interpretation of Terms.

have the respective Meanings herein-after assigned to them; that is to say,

"Ship" shall include any Description of Vessel used in Navigation not exclusively propelled by Oars:

"Cause" shall include any Cause, Suit, Action, Matter, or other Proceeding in the Court of Admiralty of *Ireland:*

"The Court of Admiralty" shall mean the Court of Admiralty of *Ireland:*

"The Judge" shall mean the Judge of the said Court of Admiralty for the Time being:

"Her Majesty in Council" shall mean Her present Majesty, Her Heirs or Successors, in the Privy Council in *England:*

"The Lord Chancellor" shall mean and include the Lord High Chancellor, Lord Keeper, and Lords Commissioners for the Custody of the Great Seal of *Ireland* for the Time being:

"Local Court" shall mean and include the Court of the Recorder of the Borough of *Cork*, the Court of the Recorder of the Borough of *Belfast*, and the Court of any other Recorder, or of any Chairman of Quarter Sessions in *Ireland*, to whom Jurisdiction in Admiralty Cases shall be given by virtue of this Act.

Commencement of Act.

3. Except with respect to the Appointment of Officers, in which respect this Act shall take effect from its passing, this Act shall take effect from and immediately after the Second Day of *November* One thousand eight hundred and sixty-seven (which Time is in this Act referred to as the Commencement of this Act).

Sects. 1., 2., and 3. of 23 & 24 G. 3. c. 14. (Irish), and so much of Sect. 1. of 2 & 3 W. 4. c. 116. as relates to the Salary of the Judge of the Admiralty Court of Ireland, and Sect. 14. of 20 & 21 Vict. c. 79., repealed.

4. From and after the Commencement of this Act, the First, Second, and Third Sections of the Act passed by the Parliament of *Ireland* of the Twenty-third and Twenty-fourth Years of the Reign of King *George* the Third, Chapter Fourteen, and so much of the First Section of the Act of the Second and Third Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen, as relates to the Salary of the Judge of the Admiralty Court in *Ireland*, and the Fourteenth Section of "The Probates and Letters of Administration Act (*Ireland*), 1857," shall be and the same are respectively hereby repealed.

Cesser of Offices.

5. From and after the Commencement of this Act, the present Judge, Registrar (if any), Marshal, and Seal Keeper of the High Court of Admiralty of *Ireland* shall cease to hold their respective Offices.

PART I.—COURT AND OFFICERS.

One Judge and One Registrar of Court.

6. There shall be One Judge of the High Court of Admiralty of *Ireland*, and One Registrar, who shall also act as Seal Keeper and Secretary of the Judge, and One Marshal of the said Court.

Appointment of Judge.

7. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Letters Patent under the Great Seal of *Ireland*, to appoint a Person, being or having been an Advocate of the Court of Admiralty of *Ireland* or a Barrister-at-Law of not less than Fifteen Years Standing, to be such Judge; and the said Judge shall hold his Office during good Behaviour, but may be removed by Her Majesty, Her Heirs or Successors, on an Address of both Houses of Parliament; and the said Judge shall have full Power and Authority to hear and determine all manner of Civil, Maritime, and other Causes to the Jurisdiction of the said Court now belonging, and shall also have such Jurisdiction as is herein-after by this Act given to the said Court of Admiralty.

Judge before acting to take the following Oath.

8. Every Judge of the Court of Admiralty shall, before executing any of the Duties of his Office, take the following Oath, which the Lord Chancellor or the Master of the Rolls for the Time being is hereby respectively authorized and required to administer:

'I *A.B.* do solemnly and sincerely promise and swear, That I will 'duly and faithfully, and to the best of my Skill and Power, 'execute the Office of Judge of the High Court of Admiralty of 'Ireland.

'So help me GOD.'

Judge not to sit in Parliament or practise as an Advocate or Barrister.

9. No Judge appointed under this Act shall during his Continuance in such Office be capable of being elected or sitting as a Member of the House of Commons, nor shall he during such Period practise as an Advocate or Barrister-at-Law.

Power to Lord Lieutenant to appoint Registrar and Marshal.

10. The Lord Lieutenant or other Chief Governor or Governors of *Ireland* may from Time to Time, by Warrant under his Hand, appoint a fit Person, being an Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor of Ten Years Standing, to be the Registrar of said Court, and also One other fit Person to be the Marshal of said Court; and the Persons so appointed shall hold their respective Offices by the same Tenure as Officers serving in an established Capacity in the permanent Civil Service of the State, but shall be removable by the Order of the Lord Chancellor, at the Instance of the

the Judge of the said Court of Admiralty, for some reasonable Cause to be expressed in the said Order.

Registrar to attend the Court of Appeal in Chancery.

11. The Registrar of the said Court of Admiralty shall attend the Hearing by the Court of Appeal in Chancery of all Appeals preferred thereto by virtue of this Act, and (subject to any Order of the said Court of Appeal in Chancery) shall transact and do all such Acts and Things as have heretofore been done by the Registrar of Appeals and Provocations Spiritual in the High Court of Delegates in *Ireland* in Cases of Appeal to that Court from the said Court of Admiralty.

Officers not to execute their Duties by Deputy, except in case of Illness, &c.

12. From and after the Commencement of this Act, the Registrar and all other Officers of the said Court of Admiralty shall perform their Duties in Person, and not by Deputy, except in case of temporary Illness or other reasonable Cause allowed by the Judge: Provided always, that in case any Officer of the said Court of Admiralty shall be prevented by temporary Illness or other reasonable Cause allowed as aforesaid from attending to his Duties, the Judge may appoint a fit and proper Person to act as the Deputy of such Officer; and no such Deputy shall continue to act for any longer Time than shall be allowed and specified in and by the Order to be made on each such Occasion by the Judge; and all the Powers and Authorities of the Officer in whose Place any such Deputy shall be appointed may be exercised by such Deputy during the Time while he shall be so authorized to act as aforesaid.

No Officer of the Court to practise therein.

13. No Registrar or other Officer of the said High Court of Admiralty, save the Marshal, nor any Clerk of said Court, shall, during the Time of his holding such Office, directly or indirectly, practise as an Advocate, Barrister, Proctor, Solicitor, or Attorney, or as Clerk to any Proctor, Solicitor, or Attorney, or participate in the Fees of any other Person so practising; and the Marshal of said Court shall not, directly or indirectly, practise therein, or participate in the Fees of any other Person so practising.

Power to Judge to appoint Chief Clerk to Registrar and other Clerks.

14. It shall be lawful for the Judge of the said Court of Admiralty, with the Approval of the Commissioners of Her Majesty's Treasury, to appoint a Chief Clerk to assist in the Duties of the Registrar's Office, and such other Clerk or Clerks as may be necessary for the Business of the said Court, and such Chief Clerk, Clerk or Clerks, shall hold their respective Offices by the same Tenure as Officers serving in an established Capacity in the permanent Civil Service of the State, but shall be removable by the Order of the Judge of the said

said Court, with the Concurrence of the Lord Chancellor, for some reasonable Cause to be stated in the said Order.

Crier, Tipstaff, and Servants.

15. It shall be lawful for the Judge of the said Court of Admiralty from Time to Time to appoint a Crier and Tipstaff to be attached to the said Court, and, with the Approval of the Commissioners of Her Majesty's Treasury, such Servants as may be required for the said Court; and such Crier, Tipstaff, and Servants shall hold their respective Offices and Situations during the Pleasure of the said Judge.

Salaries of Judge and Officers.

16. The Salaries of the Judge and Officers of the said Court of Admiralty shall be as follows; namely,—

Of the Judge Twelve hundred Pounds a Year;

Of the Registrar Five hundred Pounds a Year;

Of the Marshal Four hundred Pounds a Year; besides such travelling and other Expenses necessarily incurred in the Execution of his Duty as the Judge, with the Approval of the Commissioners of Her Majesty's Treasury, shall allow.

Of the Chief Clerk in the Registrar's Office and the Clerks of the said Court, and of the Crier, Tipstaff, and Servants of the said Court, such Salaries respectively as the Judge, with the Consent of the Commissioners of Her Majesty's Treasury, shall appoint.

Retiring Pension to Judge.

17. Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, may grant unto any Person executing the Office of Judge in pursuance of this Act an Annuity not exceeding Eight hundred Pounds, to commence immediately after the Period when the Person to whom such Annuity shall be granted shall resign the said Office of Judge, and to continue from thenceforth during the natural Life of the Person to whom the same shall be granted; provided that it shall be lawful for Her Majesty, in and by such Letters Patent, to limit the Duration of Payment of such Annuity or any Part thereof to the Periods of Time during the natural Life of such Person in which he shall not exercise any Office of Profit under Her Majesty, so that such Annuity, together with the Salary and Profits of such other Office, shall not exceed in the whole the said Sum of Eight hundred Pounds; provided also, that no Annuity granted to any Person having executed the Office of Judge under this Act shall be valid unless such Person shall have continued in the said Office, or in such Office and in the Office of Judge of the present Court of Admiralty or some other Judicial Office, for the Period of Fifteen Years, or shall be afflicted with some permanent Infirmity disabling

him from the due Execution of his Office, which shall be distinctly recited in the said Grant.

Compensation to Judge and any Officer of present Court of Admiralty not re-appointed under this Act.

18. In case the present Judge of the Court of Admiralty be not appointed to the Office of Judge of the said Court under this Act, he shall be entitled to receive by way of Compensation during his Life an Annuity equal to his Salary at the Commencement of this Act; and such Annuity shall be charged on and payable out of the Consolidated Fund of the United Kingdom; and in case any other Person who shall cease by the Provisions of this Act to hold any Office in the said Court be not appointed to some Office of not less Emolument under this Act, it shall be lawful for the Commissioners of Her Majesty's Treasury to grant to such Person such special annual Allowance and in such Manner as by the Seventh Section of "The Superannuation Act, 1859," is provided in case of Persons whose Offices have been abolished.

Power to Judge to appoint Superannuation of Officers.

19. Any Officer of the said Court of Admiralty who shall resign his Office shall be entitled to receive such Superannuation Allowance as the Commissioners of Her Majesty's Treasury shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners shall take into consideration the whole Period during which any such Person shall have been permanently employed in the said Office or in any other Public Office, and shall proceed according to the Principles laid down by "The Superannuation Act, 1859."

Salary of Judge and Compensations to be charged on Consolidated Fund; other Salaries, &c. out of Monies to be provided by Parliament.

20. The Salary of the Judge of the said Court of Admiralty, and any retiring Annuity granted to a Judge of the said Court under this Act, shall be charged on and payable out of the Consolidated Fund of the United Kingdom; and the Salaries of all Officers or Servants of the said Court, and any Superannuation Allowance which may be granted to any such Officer or Servant under this Act, shall be paid out of such Funds as Parliament shall from Time to Time provide for that Purpose.

Court to be a Court of Record.

21. The Court of Admiralty shall be a Court of Record for all Intents and Purposes.

Protection of the Judge of Court of Admiralty.

22. No Action shall lie against the Judge of the said Court of Admiralty for Error in Judgment, and the Judge shall be entitled to and have all the Privileges and Protection in the Exercise of his Jurisdiction as Judge of the said Court which by Law appertain to the

the Judges of Her Majesty's Superior Courts of Common Law in the Exercise of their several Jurisdictions.

Power to the Judge to appoint a Surrogate.

23. The Judge of the said Court of Admiralty shall be entitled, as heretofore, to appoint, with the Consent of the Lord Chancellor of *Ireland*, a Surrogate, being an Advocate or Barrister of not less than Ten Years Standing, who, in case of the Illness or Absence of the Judge, or in any Cause in which the Judge, his Wife or Child, or any Member of his Family, shall have an Interest, and also during any Period which shall be specified by any General Order of the Court, may sit for the Judge, and exercise all his Powers.

Power to Judge to appoint "Clerk in Court."

24. It shall be lawful for the Judge of the said Court of Admiralty, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time to appoint a competent Writer of Shorthand to attend the Court for the Purpose of taking down and transcribing all such Evidence, Statements, and Matters as the Judge shall direct; and any Person so appointed shall hold Office during the Pleasure of the said Judge, and shall be paid such annual Salary as the Commissioners of Her Majesty's Treasury, on the Recommendation of the Judge, shall appoint; and there shall be charged, as Part of the Costs in any Cause in the said Court, such Fees for Copies of the Minutes of any Evidence taken down by such Shorthand Writer during the Progress of such Cause as shall be appointed by General Orders and sanctioned by the Commissioners of Her Majesty's Treasury; and there shall be One such Copy made in every Cause for the Use of the Court, and certified as true and correct by such Shorthand Writer, and filed as a Record of the Court; and the Fees payable therefor shall be charged as Court Fees, and be paid for by such Party in the first instance, and in such Manner as shall be directed by General Orders, and shall be deemed to be Part of such Party's Costs in the Cause.

Barristers-at-Law, Attorneys-at-Law, and Solicitors to be at liberty to practise in High Court of Admiralty.

25. All Barristers-at-Law, and all Attorneys-at-Law and Solicitors, shall, from and after the Time when this Act shall come into operation, be entitled to practise as Barristers, Attorneys, and Solicitors respectively in all Matters and Causes whatsoever in the said Court of Admiralty; and the said Barristers-at-Law shall and may have and exercise the same Rights and Privileges of practising in the said Court of Admiralty as Advocates now have and enjoy in the said Court, and the said Attorneys and Solicitors shall and may have and exercise the same Rights and Privileges of practising in the said Court of Admiralty as Proctors now have and enjoy in the said Court; and the said Advocates and Barristers-at-Law shall have respectively the same Rank and Precedence in the

the said Court of Admiralty which they now have in the Superior Courts of Common Law, unless and until Her Majesty shall otherwise order: Provided always, that all Attorneys-at-Law and Solicitors practising in the Court of Admiralty shall be subject to the Authority of the Judge in the like Manner as Attorneys of the Queen's Bench are subject to the Authority of that Court: Provided also, that the Queen's Advocate General in the Court of Admiralty for the Time being shall have and retain the same Rights, Rank, and Precedence in that Court as he now has therein by virtue of his said Office.

Admission of Wm. Russell Kelly and of Articled Apprentices as Attorneys and Solicitors.

26. Whereas *William Russell Kelly* has been lately admitted a Proctor of the said Court of Admiralty, and *Charles Taylor*, *John Chambers Hamerton*, *Henry Albert Lee*, and *John Mallins* have been duly articled as Apprentices to Proctors of the said Court of Admiralty: It is hereby enacted, That the said *William Russell Kelly* may, within Six Months from the coming of this Act into operation, and that each of them the said *Charles Taylor*, *John Chambers Hamerton*, *Henry Albert Lee*, and *John Mallins*, who shall complete the full Term of Service for which he has been bound as such Apprentice, may, within Six Months thereafter, be admitted, without any further Apprenticeship, and without the Payment of any Stamp Duty, Fee, Charge, or Gratuity whatsoever, as a Solicitor of the High Court of Chancery in *Ireland*; and upon the Production of an official Certificate of his being admitted or qualified to be admitted as a Proctor of the said Court of Admiralty, and upon signing the Roll of Solicitors of the said Court of Chancery, each of the Persons in this Clause above named shall respectively be entitled to be admitted as a Solicitor of that Court, and to be afterwards in like Manner admitted and enrolled as an Attorney of Her Majesty's Superior Courts of Law in *Ireland*.

Part II.—Jurisdiction of the Court.

Jurisdiction in Cases of Salvage.

27. Subject to the Provisions of "The Merchant Shipping Act, 1854," and "The Merchant Shipping Amendment Act, 1862," the Court of Admiralty shall have Jurisdiction to decide upon all Claims whatsoever relating to Salvage, and to enforce the Payment thereof, whether the Service in respect of which Salvage is claimed were performed upon the High Seas or within the Body of any County, or partly in the one Place and partly in the other, and whether the Wreck is found at Sea or cast upon the Land, or partly in the Sea and partly on Land.

28. The

Admiralty Court (Ireland).

Jurisdiction in Cases of Towage.

28. The Court of Admiralty shall have Jurisdiction to decide all Claims and Demands in the Nature of Towage, and to enforce the Payment thereof, whether such Towage was performed within the Body of a County or upon the High Seas.

Jurisdiction in Cases of Damage.

29. The Court of Admiralty shall have Jurisdiction over any Claims for Damage received or done by any Ship, whether within the Body of a County or not.

As to Claims for building, &c. of Ships.

30. The Court of Admiralty shall have Jurisdiction over any Claim for the building, equipping, or repairing of any Ship.

Jurisdiction of the Court in Claims for Necessaries.

31. The Court of Admiralty shall have Jurisdiction over any Claim for Necessaries supplied to any Ship elsewhere than in the Port to which the Ship belongs.

Court of Admiralty to decide Questions as to Ownership, &c. of Ships.

32. The Court of Admiralty shall have Jurisdiction to decide all Questions arising between the Co-Owners or any of them touching the Title to or the Ownership, Possession, Employment, and Earnings of any Ship registered at any Port in *Ireland*, or any Share thereof, and may settle all Accounts outstanding and unsettled between the Parties in relation thereto, and may direct the said Ship or any Share thereof to be sold, and may make such Order in the Premises as to it shall seem fit.

As to Claims for Wages and for Disbursements by Master of a Ship.

33. The Court of Admiralty shall have Jurisdiction over any Claim by a Seaman of any Ship for Wages earned by him on board the Ship, whether the same be due under a special Contract or otherwise, and also over any Claim by the Master of any Ship for Wages earned by him on board the Ship, and for Disbursements made by him on account of the Ship.

Provisions of 3 & 4 Vict. c. 65. in regard to Mortgages extended to Court.

34. The Court of Admiralty shall have Jurisdiction over any Claim in respect of any Mortgage duly registered according to the Provisions of "The Merchant Shipping Act, 1854," whether the Ship or the Proceeds thereof be under Arrest of the said Court or not.

Sections 62 to 65 of 17 & 18 Vict. c. 104. extended to Court.

35. The Court of Admiralty shall have the same Powers over any *British* Ship, or any Share therein, as are conferred upon the High Court of Chancery in *Ireland* by the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections of "The Merchant Shipping Act, 1854."

36. The

Admiralty Court (Ireland).

Part 9 of 17 & 18 Vict. c. 104. extended to Court.

36. The Court of Admiralty shall have the same Powers as are conferred upon the High Court of Chancery in *Ireland* by the Ninth Part of "The Merchant Shipping Act, 1854."

Extension of Jurisdiction of Court of Admiralty over Ships and Goods.

37. The Court of Admiralty shall have Jurisdiction over any Claim by the Owner or Consignee or Assignee of any Bill of Lading of any Goods carried into any Port in *Ireland* in any Ship for Damage done to the Goods, or any Part thereof, by the Negligence or Misconduct of, or for any Breach of Duty or Breach of Contract on the Part of, the Owner, Master, or Crew of the Ship.

Court may exercise Jurisdiction in rem or in personam.

38. The Jurisdiction conferred by this Act may be exercised either by Proceedings *in rem* or by Proceedings *in personam*.

Practice, &c. to be regulated by General Orders.

39. General Orders shall be from Time to Time made under this Act for the Purposes in this Act directed, and for regulating the Practice and Procedure of the High Court of Admiralty and of the Local Courts, and the Forms of Writs, Warrants, Summonses, Processes, and Proceedings therein or issuing therefrom, and the Duties of the Judges and Officers thereof, and the Fees to be taken therein.

Authority for making General Orders.

40. General Orders under this Act shall be made by the Judge of the Court of Admiralty, with the Approval of the Lord Chancellor, and, as far as they relate to Fees, or Receipt and Expenditure of and accounting for Money, with the Approval of the Commissioners of Her Majesty's Treasury; and any General Orders under this Act may be made at any Time after the passing of this Act.

Certain Powers of Superior Courts extended to Court.

41. The Judge of the Court of Admiralty shall have all such Powers as are possessed by any of the Superior Courts of Common Law in *Ireland*, or any Judge thereof, to compel either Party in any Cause or Matter to answer Interrogatories, and to enforce the Production, Inspection, and Delivery of Copies of any Document in his Possession or Power.

Gaolers to receive Prisoners committed by Court of Admiralty.

42. The Keeper for the Time being of any Common Gaol or Prison shall be bound to receive or take into his Custody all Persons who shall be committed thereunto by the said Court of Admiralty; and every Keeper of any Gaol or Prison who shall refuse to receive into his Custody any Person so committed, or wilfully or negligently suffer such Person to escape or go at large without lawful Warrant, shall be liable to the like Penalties and Consequences as if such Person

Person had been committed to his Custody by any other lawful Authority.

Prisoners in Contempt may be discharged.

43. It shall be lawful for the Judge to order the Discharge of any Person who shall be in Custody for Contempt of the said Court, or for any other Cause other than Nonpayment of Money, on such Conditions as to the Judge shall seem just: Provided always, that the Order for such Discharge shall not be deemed to have purged the original Contempt in case the Conditions on which such Order shall be made be not fulfilled.

Judge and Registrar to have same Power as to Arbitration as Judges and Masters at Common Law.

44. All the Powers possessed by any of the Superior Courts of Common Law, or any Judge thereof, under "The Common Law Procedure Act, 1856," and otherwise with regard to References to Arbitration, Proceedings thereon, and the enforcing of Awards of Arbitrators, shall be possessed by the Judge of the Court of Admiralty in all Cases and Matters depending in the said Court; and the Registrar of the said Court of Admiralty shall possess as to such Matters the same Powers as are possessed by the Masters of the said Superior Courts of Common Law in relation thereto.

Section 15 of 17 & 18 Vict. c. 104. extended to Registrar of Court of Admiralty.

45. The Registrar of the Court of Admiralty shall have the same Powers under the Fifteenth Section of "The Merchant Shipping Act, 1854," as are by the said Section conferred on the Masters of Her Majesty's Court of Queen's Bench in *England* and *Ireland*.

Registrar to have Power to administer Oaths.

46. The Registrar of the said Court of Admiralty shall have Power to administer Oaths in relation to any Cause or Matter depending in the said Court, and shall have also such other Powers as may be given him for the Discharge of his Functions as Registrar by any Rule, Order, or Regulation to be made in pursuance of this Act.

Restriction on Arrest of Property.

47. The Party at whose Instance any Property is arrested under a Warrant of the High Court of Admiralty shall be liable to be condemned in all Costs and Expenses occasioned thereby, and in Damages for the Detention of the Property, unless he shows to the Satisfaction of the Court that he could not, without such Arrest, have obtained Bail or other Security for the Sum in which the Cause is instituted, or that he had otherwise good and sufficient Reason for having caused the Issue and Execution of the Warrant of Arrest.

PART III.—PRACTICE AND PROCEDURE.

1.—*Payment of Money into Court, &c.*

Money payable into Court to be lodged in the Bank of Ireland.

48. All Money payable into the Court of Admiralty under any Order of the Court shall be lodged, under Orders of the Court, to be made from Time to Time, in the Bank of *Ireland*, to an Account there to be opened in the Name of the Registrar of the High Court of Admiralty of *Ireland*, to the Credit of the Cause in which such Order may be made, and the same shall not be drawn out therefrom save in pursuance of an Order of the Court, by the Cheque or Draft of the said Registrar, countersigned by the Judge.

2.—*Evidence.*

Rules of Evidence in Common Law Courts to be observed.

49. The Rules of Evidence observed in the Superior Courts of Common Law shall be applicable to and observed in the Trial of all Matters and Facts in the Court of Admiralty.

Power to examine vivâ voce in open Court.

50. In any Cause depending in the Court of Admiralty, the Court, if it shall think fit, may summon before it and examine or cause to be examined Witnesses by Word of Mouth, and either before or after Examination by Deposition or before a Commissioner, as hereafter mentioned, and Notes of such Evidence shall be taken down in Writing by the Judge or Registrar, or by such other Person or Persons and in such Manner as the Judge of the said Court shall direct.

Evidence may be taken vivâ voce before a Commissioner.

51. The Court may, if it shall think fit, by Order in any such Suit, appoint some Person, being a Barrister-at-Law of not less than Seven Years Standing, an Examiner to take Evidence in such Suit by Word of Mouth upon Oath, which every such Examiner is hereby empowered to administer, at such Time or Times, Place or Places, and as to such Fact or Facts, and in such Manner, Order, and Course, and under such Limitations and Restrictions, and to transmit the same to the Registry of the said Court in such Form and Manner, as in and by the said Order shall be directed; and such Examiner shall be attended, and the Witnesses shall be examined, cross-examined, and re-examined, by the Parties, their Counsel, Solicitors, Attorneys, or Agents, if such Parties or either of them shall think fit so to do; and such Examiner shall, if need be, make a special Report to the Court touching such Examination, and the Conduct or Absence of any Witness or other Person thereon or relating thereto; and the said Court of Admiralty is hereby authorized to institute such Proceedings and make such Order or Orders

Orders upon such Report as Justice may require and as may be instituted or made in any Case of Contempt of the said Court.

Attendance of Witnesses and Production of Books, &c. may be compelled by Subpœna.

52. It shall be lawful in any Suit depending in the said Court of Admiralty for the Judge or for any such Examiner appointed in pursuance of this Act to require the Attendance of any Witness, and the Production of any Deeds, Evidences, Books, or Writings, by Writ to be issued by such Judge or Examiner in such Form as shall be directed by the General Orders to be made under this Act or as nearly thereto as may be, and every Person disobeying any such Writ so to be issued by the said Judge or Examiner shall be considered as in Contempt of the said Court of Admiralty, and may be punished for such Contempt in the said Court.

Judge of Admiralty may appoint Solicitors, &c. to administer Oaths, &c.

53. The Judge of the Court of Admiralty may and he is hereby empowered, from Time to Time and as and when he may think fit, to appoint any Person practising as a Solicitor, Attorney, or Notary Public in any Part of *Ireland* to administer Oaths, and take Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the Court of Admiralty; and such Persons shall be styled "Commissioners to administer Oaths in Admiralty," and shall be entitled to charge and take a Fee of One Shilling and Sixpence for every Oath administered by them, and for every Declaration, Affirmation, and Attestation taken by them, subject to any Order of the Judge of the said Court varying or annulling the same.

Commissioner's Appointment to bear a Stamp of One Pound.

54. The Fiat or Document by which any such Commissioner shall be appointed shall bear a Stamp of One Pound, and it shall not be necessary that any such Appointment shall be published in the *Dublin Gazette*.

Personal Answers may be taken without a Commission.

55. It shall not be necessary to sue out any Commission to take the personal Answer of any Party in any Cause in the Court of Admiralty; and any such Answer may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit.

Answers, Affidavits, &c., how to be sworn and taken in Ireland.

56. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the said Court of Admiralty may be sworn and taken in *Ireland* before any Commissioner appointed as aforesaid, or before any Commissioner to administer Oaths in Chancery.

Answers, Affidavits, &c., how to be sworn and taken out of Ireland.

57. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Cause in the said Court of Admiralty may be sworn and taken in *England*, *Scotland*, or the *Isle of Man*, or the *Channel Islands*, or any of them, or, in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, Commissioner, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Island, or Plantation or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and the Judge and other Officers of the said Court of Admiralty shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Judge, Court, Commissioner, Notary Public, Person, Consul or Vice-Consul attached, appended, or subscribed to any such Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, or the Documents to be used in the said Court.

Penalties for false swearing.

58. All Persons swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer Oaths, and take Declarations, Affirmations, and Attestations, shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested before any Court or Person now by Law authorized to administer Oaths and take Declarations, Affirmations, and Attestations.

Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.

59. If any Person shall forge the Signature or the official Seal of any such Judge, Commissioner, Court, Notary Public, Consul or Vice-Consul, or other Person lawfully authorized to administer Oaths and take Declarations, Affirmations, or Attestations under this Act, or shall tender in Evidence any Answers, Examination, Deposition on Oath, Declaration, Affirmation, Attestation, or other judicial or official Document with a false or counterfeit Signature or Seal of any such Commissioner, Judge, Court, Notary Public, Consul or Vice-Consul, or other Person authorized as aforesaid attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Admission in Evidence of certain official and other Documents*.

8 & 9 Vict. c. 113.

Power of Judge to issue Com-

60. Nothing herein contained shall abridge or lessen the Power of the Judge of the said Court of Admiralty, as it now exists, to issue

issue Commissions as heretofore, and to appoint fit Persons to administer Oaths, take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, and generally to execute any Commissions, nor shall affect in any Manner the Power of the Judge to administer Oaths, and take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, as heretofore, in or relating to any Cause in the said Court.

missions as heretofore, to administer Oaths, &c.

3.—*Issues and New Trials.*

61. In any contested Cause depending in the said Court of Admiralty the said Court shall have Power, if it shall think fit, to direct a Trial by Jury of any Issue or Issues on any Question or Questions of Fact arising in any such Cause, and the Substance and Form of such Issue or Issues shall be specified by the Judge at the Time of directing the same; and if the Parties differ in drawing such Issue or Issues, it shall be referred to the Judge to settle the same, and such Trial shall be held before the Judge himself, or before some Judge of Assize at Nisi Prius, as to the Judge shall seem meet.

Power to direct Issues.

62. The Costs of such Issues as the Judge shall under this Act direct shall be paid by such Party or Parties, Person or Persons, and be taxed by the Registrar of the said Court of Admiralty in such Manner as the said Judge shall direct, and Payment of such Costs shall be enforced in the same Manner as Costs between Party and Party may be enforced in other Proceedings in the said Court.

Costs of Issues in Discretion of Court.

63. The said Court of Admiralty, upon Application to be made within Three Calendar Months after the Trial of any such Issue, by any Party concerned, may grant and direct One or more new Trials of any such Issue, and may order such new Trial to take place in the Manner herein-before directed with regard to the First Trial of such Issue, and may, by Order of the same Court, direct such Costs to be paid as to the said Court shall seem fit, upon any Application for a new Trial or upon any new Trial or Second or other new Trial, and may direct by whom, and to whom, and at what Times and in what Manner such Costs shall be paid.

Power to direct new Trials.

64. The granting or refusing to grant an Issue or a new Trial of any such Issue may be Matter of Appeal to the Court of Appeal in Chancery in *Ireland*.

Granting or refusing new Trials Matter of Appeal.

65. The Record of each such Issue and of the Verdict therein shall be transmitted by the proper Officer to the Registrar of the said Court

Record of the Issue to be lodged

with the Registrar.

Court of Admiralty; and the Verdict of the Jury upon any such Issue (unless the same shall be set aside) shall be conclusive upon the said Court and upon the Parties, and in all further Proceedings in the Cause in which such Fact is found the said Court shall assume such Fact to be as found by the Jury.

Party in Court may apply for an Order for Inspection by Jurors.

66. Any Party in a Cause in the Court of Admiralty shall be at liberty to apply to the said Court for an Order for the Inspection by the Nautical Assessors or others appointed for the Trial of any Cause, or by the Party himself or his Witnesses, of any Ship or other Personal or Real Property the Inspection of which may be material to the Issue of the Cause, and the Court may make such Order in respect of the Costs arising thereout as to it shall seem fit.

Admission of Documents.

67. Any Party in a Cause in the Court of Admiralty may call on any other Party in the Cause by Notice in Writing to admit any Document, saving all just Exceptions; and in case of Refusal or Neglect so to admit same the Costs of proving the Document shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable.

4.—*Other Branches of Practice and Procedure.*

Power of Court, when personal Service of Citation has not been effected, to order Parties to proceed.

68. Whenever it shall be made to appear to the Judge that reasonable Efforts have been made to effect personal Service of any Citation, Monition, or other Process issued under Seal of the said Court of Admiralty, and either that the same has come to the Knowledge of the Party thereby cited or monished, or that he wilfully evades Service of the same and has not appeared thereto, the said Judge may order that the Party on whose Behalf the Citation, Monition, or other Process was issued be at liberty to proceed as if personal Service had been effected, subject to such Conditions as to the Judge may seem fit, and all Proceedings thereon shall be as effectual as if personal Service of such Citation, Monition, or other Process had been effected.

As to Services out of Ireland.

69. The Service in any Part of the United Kingdom of any Writ of Subpœna ad testificandum or Subpœna duces tecum, issued under Seal of the Court of Admiralty, shall be as effectual as if the same had been served in *Ireland*.

Decrees and Orders of Court of Admiralty

70. All Decrees and Orders of the Court of Admiralty, whereby any Sum of Money, or any Costs, Charges, or Expenses, shall be payable to any Person, shall have the same Effect as Judgments in the

the Superior Courts of Common Law; and the Persons to whom any such Monies, or Costs, Charges, or Expenses shall be payable, shall be deemed Judgment Creditors, and all Powers of enforcing Judgments possessed by the Superior Courts of Common Law or any Judge thereof, with respect to Matters depending in the same Courts, as well against the Ships and Goods arrested as against the Person of the Judgment Debtor, shall be possessed by the said Court of Admiralty with respect to Causes therein depending; and all Remedies at Common Law possessed by Judgment Creditors shall be in like Manner possessed by Persons to whom any Monies, Costs, Charges, or Expenses are by such Orders or Decrees of the said Court of Admiralty directed to be paid.

to have Effect of Judgments at Common Law.

71. If any Claim shall be made to any Goods or Chattels taken in Execution under any Process of the Court of Admiralty, or in respect of the Seizure thereof, or any Act or Matter connected therewith, or in respect of the Proceeds or Value of any such Goods or Chattels by any Landlord for Rent, or by any Person not being the Party against whom the Process has issued, the Registrar of the said Court may, upon Application of the Officer charged with the Execution of the Process, whether before or after any Action brought against such Officer, issue a Summons calling before the said Court both the Party issuing such Process and the Party making the Claim; and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record, or in any local or inferior Court, in respect of such Claim, Seizure, Act, or Matter as aforesaid, shall be stayed, and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing the Action to pay the Costs of all Proceedings had upon the Action after Issue of the Summons out of the said Court of Admiralty, and the Judge of the said Court of Admiralty shall adjudicate upon the Claim, and make such Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit; and such Order shall be enforced in like Manner as any Order made in any Suit brought in the said Court. Where any such Claim shall be made as aforesaid the Claimant may deposit with the Officer charged with the Execution of the Process either the Amount or Value of the Goods claimed, the Value to be fixed by Appraisement in case of Dispute, to be by the Officer paid into Court to abide the Decision of the Judge upon the Claim, or the Sum which the Officer shall be allowed to charge as Costs for keeping Possession of the Goods until such Decision can be obtained; and in default of the Claimant so doing the Officer may sell the Goods as if no such Claim had been made, and shall pay into

As to Claims to Goods taken in Execution.

into Court the Proceeds of the Sale to abide the Decision of the Judge.

As to the Hearing of Causes and cross Causes.

72. The Court of Admiralty may, on the Application of the Defendant in any Cause of Damage, and on his instituting a cross Cause for the Damage sustained by him in respect of the same Collision, direct that the principal Cause and the cross Cause be heard at the same Time and upon the same Evidence; and if in the principal Cause the Ship of the Defendant has been arrested, or Security given by him to answer Judgment, and in the cross Cause the Ship of the Plaintiff in the principal Cause cannot be arrested, and Security has not been given to answer Judgment therein, the Court may, if it think fit, suspend the Proceedings in the principal Cause until Security has been given to answer Judgment in the cross Cause.

5.—Assessors.

List of Assessors.

73. General Orders may from Time to Time provide for the framing of Lists of Persons of mercantile or nautical Skill and Experience to act as Assessors in the High Court of Admiralty and in the local Courts, and for the Publication of the Lists, and for the Ascertainment of the Cases in which Assessors are to be summoned, and the Mode in which, in each Case, they are to be selected, and their Functions, and the Proceedings in the Cases in which they sit, and their Remuneration; and every Person for the Time being named in any such List shall give his Attendance according to General Orders.

PART IV.—JURISDICTION OF LOCAL COURTS.

Admiralty Jurisdiction of local Courts.

74. The local Courts shall, in the Cases following, have all the like Civil and Maritime Jurisdiction (with all Powers and Authorities relative thereto) as for the Time being belongs to the Court of Admiralty (otherwise than by way of Appeal); that is to say,

(1.) Where the Amount or Value of the Money or Thing in dispute does not exceed Two hundred Pounds:

(2.) Where the Amount or Value of the Money or Thing in dispute exceeds Two hundred Pounds, but the Parties agree by a Memorandum signed by them, or by their Attorneys or Agents, that a local Court or Courts specified in the Memorandum shall have Jurisdiction:

(3.) Where this Act provides for the Retention or Prosecution of a Cause in a local Court:

A Cause

A Cause in which Jurisdiction is by this Act given to the local Courts is in this Act referred to as an Admiralty Cause.

Local Court for Commencement of Cause.

75. Subject to General Orders, Proceedings in an Admiralty Cause in a local Court shall be commenced as follows:—

(1.) In the local Court within the Jurisdiction whereof the Ship or Goods to which the Cause relates is or are at the Commencement of the Proceedings:

(2.) If the foregoing Rule is not applicable, then in the local Court in the District whereof an Action should or might be commenced under the ordinary Jurisdiction of the Court:

(3.) In any Case in the local Court, or One of the local Courts, which the Parties by a Memorandum signed by them, or by their Attorneys or Agents, agree shall have Jurisdiction.

Transfer from local Court by Order of the Court of Admiralty.

76. The Court of Admiralty, on Motion by any Party to an Admiralty Cause pending in a local Court, may, if it thinks fit, (with or without Service and Hearing of a Summons to the other Party, as it thinks fit,) transfer the Cause to the Court of Admiralty, on such Terms (if any) as to Security for Costs or other Things as the Court thinks fit.

Transfer by Order of County Court.

77. If during the Progress of an Admiralty Cause in a local Court it appears to the Court that the Subject Matter exceeds the Limit in respect of Amount of the Admiralty Jurisdiction of the Court, the Validity of any Order or Decree theretofore made by the Court shall not be thereby affected, but (unless the Parties agree by a Memorandum signed by them or their Attorneys or Agents that the Court shall retain Jurisdiction) the Court shall, by Order, transfer the Cause to the Court of Admiralty, which Court may nevertheless order that the Cause shall be prosecuted in the local Court in which it was commenced, and it shall be thereupon remitted to such local Court and proceeded with therein.

Transfer to other local Court or Court of Admiralty.

78. If during the Progress of an Admiralty Cause in a local Court it appears to the Court that the Cause could be more conveniently prosecuted in some other local Court or in the Court of Admiralty, the Court may, by Order, transfer it to such other local Court or to the Court of Admiralty (as the Case may be), and it shall be thereupon prosecuted accordingly.

Costs of Proceedings in Court of Admiralty.

79. If any Person takes Proceedings in the High Court of Admiralty which he might (without Agreement) have taken in a local Court, he shall not be entitled to receive Costs in the High Court

Court of Admiralty in any Event unless the Judge shall otherwise direct, and shall be liable to be condemned in Costs, if the Judge shall so think fit.

Powers and Authorities of Judges of local Courts.

80. In an Admiralty Cause in a local Court the Judge of such Court shall (in addition to his other Powers and Authorities) have all the like Powers and Authorities as the Judge of the High Court of Admiralty.

Marshal, &c. to act for local Courts.

81. The Marshal of the Court of Admiralty shall be deemed an Officer of all and every the local Courts in Admiralty Causes pending in any of those Courts; and it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall think fit, on the Application of the Judge, to award to the said Marshal by way of Remuneration for the Duties by this Section imposed upon him such annual or other Sum as they shall deem reasonable, and such Sum shall be paid out of the Funds which Parliament shall provide for that Purpose.

Scale of Costs in local Courts.

82. A Scale of Costs and Charges in Admiralty Causes in the local Courts shall be prescribed by General Orders.

Execution of Decrees, &c.

83. For the Execution of any Decree or Order of a local Court in an Admiralty Cause the Court may order, and the Clerk of the Peace on such Order may issue, and any Officer of the said Court may execute, any Writ or Warrant of Arrest, Possession, or Execution, or other Process.

Appointment of special Courts of Quarter Sessions for Admiralty Jurisdiction.

84. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, from Time to Time, by Order in Council, made at any Time after the passing of this Act, to declare that the Recorder of any Borough Court, or the Chairman of any Court of any Quarter Sessions therein, and not herein-before specified, shall have Jurisdiction in Admiralty Causes, which Recorder or Chairman shall have Jurisdiction accordingly, and to assign to each such Court as its District for Admiralty Causes any Part or Parts of any One or more District or Districts in which such Court shall (independently of this Act) have Jurisdiction, and in any such Case to prescribe the Places and Times at which local Courts for Admiralty Causes shall be holden.

Remuneration to Recorders of Cork and Belfast.

85. It shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall think fit, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to award

award to the Recorders of the Boroughs of *Cork* and *Belfast*, as Remuneration for the additional Duty which they may respectively have to perform by virtue of this Act, such annual or other Sums as they shall deem reasonable; such Sums shall be paid out of the Funds which Parliament shall provide for the Purpose.

Provision for Remuneration of other Recorders and Chairmen.

86. When, under any such Order in Council as aforesaid, Jurisdiction in Admiralty Causes shall be given to any Recorder of a Borough or Chairman of a County, it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall think fit, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to award such annual or other Sum as they shall deem reasonable to such Recorder or Chairman by way of Remuneration for the additional Duty which he may have to perform in consequence of such Order, and such Sum shall be paid out of the Funds which Parliament shall provide for that Purpose.

Part V.—Appeals.

Appeal from County Court to Court of Admiralty.

87. An Appeal shall lie to the High Court of Admiralty from the final Decree, Order, or Decision of a local Court in an Admiralty Cause, and, by Permission of the Judge of the local Court, from any interlocutory Decree, Order, or Decision therein, subject to such Provisions respecting Notice of Appeal, Deposit or other Security for Costs, and other Matters, as General Orders shall direct.

Time for Appeal from County Court.

88. The Time for so appealing shall be limited to Fourteen Days from the Date of the Decree, Order, or Decision appealed from; and an Appeal shall not be allowed unless the Appeal is lodged in the Registry of the High Court of Admiralty within that Time, subject to this Provision,—that the Judge of the High Court of Admiralty may, if he think fit, allow an Appeal to be prosecuted notwithstanding that the Appeal has not been lodged within that Time.

Agreement not to appeal.

89. Provided, That such an Appeal shall not lie if before or after the Decree, Order, or Decision is made or given the Parties agree, by a Memorandum signed by them or by their Attorneys or Agents, that the Decree, Order, or Decision shall be final; and any such Agreement need not be stamped, except in respect of any Fee imposed by General Orders.

Appeal to the Court of Delegates abolished.

90. From and after the Commencement of this Act no Appeal shall be brought from the Court of Admiralty to Her Majesty's Delegates

Delegates in the Court of Chancery in *Ireland*, commonly called the High Court of Delegates in *Ireland*.

Appeal given to Court of Appeal in Chancery and Privy Council.

91. Any Person considering himself aggrieved by any final or interlocutory Sentence, Decree, or Order of the Court of Admiralty, except a Sentence, Decree, or Order made by the Judge upon an Appeal from a local Court, may appeal therefrom to the Court of Appeal in Chancery in *Ireland*, and from thence to Her Majesty in Council: Provided nevertheless, that any such Appeal from the Court of Admiralty may be brought to Her Majesty in Council in the first instance without interposing any Appeal to the said Court of Appeal in Chancery; and provided always, that no Appeal from any interlocutory Order of the Court of Admiralty shall be made without Leave of the Court of Admiralty first obtained, but on the Hearing of an Appeal from any final Sentence or Decree all interlocutory Orders complained of shall be considered as under Appeal as well as the final Decree.

Powers and Jurisdiction of the Court of Appeal.

92. From and after the Commencement of this Act, save as to any Appeal that shall be then pending, all the Jurisdiction which is now possessed and exercised by the High Court of Delegates in *Ireland*, or which, but for the passing of this Act, would be possessed and exercised by that Court, in respect of Appeals from the said Court of Admiralty, and all Powers and Authorities incident to such Jurisdiction, now exercised and performed by the said High Court of Delegates, shall, subject to the Provisions of this Act, be exercised and performed by the said Court of Appeal in Chancery in relation to Appeals under this Act.

Power to the Court of Appeal in Chancery to make Rules.

93. The Lord Chancellor and Lord Justice of Appeal in *Ireland* for the Time being may from Time to Time make, rescind, and vary General Orders for regulating the Form and Mode of Procedure on Appeals from the Court of Admiralty to the said Court of Appeal in Chancery, and for regulating the Costs, Fees, and Allowances to be paid or allowed to Solicitors or other Persons respecting such Appeals; and such Orders shall take effect at such Times as may be therein specified, or in default of such Specification from the Time of making thereof.

Power to the Court of Appeal in Chancery to call in Nautical Assessors.

94. The said Court of Appeal in Chancery shall, on the Hearing of any Appeal from the Court of Admiralty, have Power to call to its Assistance One or more Nautical Assessors, to be selected by the said Court of Appeal; and the Advice and Opinion of such Nautical Assessor or Assessors may be taken by the said Court in the same Manner, upon such Questions, and for such Objects as the Advice

Advice and Opinion of any Nautical Assessor now is or may be taken by the Judicial Committee of the Privy Council in Appeals brought from the High Court of Admiralty of *England;* and the said Court of Appeal in Chancery shall have Power to direct what Remuneration shall be paid to each such Assessor for his Attendance on the Hearing of any such Appeal, and such Remuneration shall be paid accordingly by such of the Parties to the Appeal as the said Court of Appeal shall in that Behalf direct.

Evidence in the Court of Appeal in Chancery may be taken vivâ voce or upon written Depositions.

95. In any Appeal which shall come before the said Court of Appeal in Chancery by virtue of this Act the said Court may examine Witnesses by Word of Mouth (and either before or after Examination by Deposition), or direct that the Depositions of any Witness shall be taken in Writing by the Registrar, or by such other Person or Persons and in such Manner as the said Court shall direct.

Court of Appeal in Chancery may order any particular Witness to be examined, and as to any particular Facts, and may remit the Cause for Re-hearing.

96. In any Appeal which shall come before the said Court of Appeal in Chancery by virtue of this Act the said Court may direct that such Witnesses shall be examined or re-examined, and as to such Facts, as to the said Court shall seem fit, notwithstanding any such Witness may not have been examined, or no Evidence may have been given on any such Facts in a previous Stage of the Matter, and may remit the Cause to the Court of Admiralty, and at the same Time direct that the said Court of Admiralty shall re-hear such Cause, in such Form, and either generally or upon certain Points only, and upon such Re-hearing take such additional Evidence, though before rejected, or reject such Evidence before admitted, as the Court of Appeal in Chancery shall direct; and further, on any such remitting or otherwise, the Court of Appeal in Chancery may direct One or more Issue or Issues to be tried in any Court in any of Her Majesty's Dominions abroad for any Purpose for which such Issue or Issues shall to the said Court of Appeal in Chancery seem proper.

Witnesses to be examined on Oath, and to be liable to Punishment for Perjury.

97. Every Witness who shall be so examined in pursuance of this Act shall give his or her Evidence upon Oath, or, in Cases in which an Affirmation is allowed by Law to be substituted for an Oath, upon solemn Affirmation, which Oath and Affirmation respectively shall be administered by the Court of Appeal in Chancery, and the Registrar thereof, or such other Person and Persons as the said Court shall direct; and every such Witness who shall wilfully swear or affirm falsely shall be deemed guilty of Perjury, and shall be punished accordingly.

98. The

Court of Appeal in Chancery may direct an Issue to try any Fact.

98. The said Court of Appeal in Chancery may direct One or more Issue or Issues to be tried in any Court of Common Law, and either before a Judge of Assize, or at the Sittings for the Trial of Issues in *Dublin*, and either by a Special or Common Jury, in like Manner and for the same Purpose as is now done by the High Court of Chancery of *Ireland*.

Court of Appeal in Chancery may direct Depositions to be read at Trial of the Issue;

99. It shall be in the Discretion of the said Court of Appeal in Chancery to direct that on the Trial of any Issue directed by it as aforesaid the Depositions already taken of any Witness who shall have died, or who shall be incapable to give oral Testimony, shall be received in Evidence; and further, that such Deeds, Evidences, and Writings shall be produced, and that such Facts shall be admitted, as to the said Court of Appeal in Chancery shall seem fit.

may make such Orders as to Admission of Evidence as are made by Court of Chancery;

100. The said Court of Appeal in Chancery may make such and the like Orders respecting the Admission of Persons, whether Parties or others, to be examined as Witnesses upon the Trial of any such Issue directed by it as aforesaid, as the Lord Chancellor or the Court of Chancery of *Ireland* has been used to make respecting the Admission of Witnesses upon the Trial of Issues directed by the Lord Chancellor or the Court of Chancery in *Ireland*.

and may direct new Trials of Issues.

101. The said Court of Appeal in Chancery may direct One or more new Trial or Trials of any Issue, either generally or upon certain Points only; and in case any Witness examined at a former Trial of the same Issue shall have died, or have become incapable to repeat his Testimony, the said Court of Appeal in Chancery may direct that parol Evidence of the Testimony of such Witness shall be received.

Powers, &c. of 13 G. 3. c. 63. and 1 W. 4. c. 22. as to Examination of Witnesses extended to Court of Appeal in Chancery.

102. All the Powers and Provisions contained in the Thirteenth of *George* the Third, Chapter Sixty-three, and First of *William* the Fourth, Chapter Twenty-two, for the Examination of Witnesses, shall, with reference to Cases of Appeal from the said Court of Admiralty, extend to and be exercised by the said Court of Appeal in Chancery, as if that Court had been therein named as One of His Majesty's Courts of Law at *Westminster*.

Costs to be in the Discretion of Court of Appeal in Chancery.

103. The Costs incurred in the Prosecution of any Appeal preferred to the said Court of Appeal in Chancery, under the Provisions of this Act, and of such Issues as the same Court shall under this Act direct, shall be paid by such Party or Parties, Person or Persons, and be taxed by the Registrar, or such other Person or Persons to be appointed

appointed by the same Court, and in such Manner as the said Court shall direct.

Attendance of Witnesses and Production of Papers may be enforced by Subpœna.

104. The Court of Appeal in Chancery may require the Attendance of any Witnesses, and the Production of any Deeds, Evidences, or Writings, by Writ, to be issued by the said Court, in such and the same Form, or as nearly thereto as may be, as that in which a Writ of Subpœna ad testificandum or of Subpœna duces tecum is now issued by Her Majesty's Court of Queen's Bench at *Dublin;* and every Person disobeying any such Writ so to be issued by the said Court of Appeal in Chancery shall be considered as in Contempt of the same Court, and shall also be liable to such and the same Penalties and Consequences as if such Writ had issued out of the said Court of Queen's Bench, and may be sued for such Penalties in the same Court.

The Privy Council empowered to determine Appeals under this Act.

105. All the Provisions contained in the several Acts for the Time being in force relating to the Appellate Jurisdiction of Her Majesty's Privy Council in *England*, and the Administration of Justice therein, shall, so far as the same shall be applicable and consistent with the Provisions of this Act, be deemed to extend to Appeals preferred to Her Majesty in Council by virtue of the Provisions of this Act; and the Proceedings on all such Appeals shall, so far as practicable, and consistent with the Provisions of this Act, be proceeded with in the same Manner as Appeals from the High Court of Admiralty of *England*.

Bail given in the Court of Admiralty good in the Court of Appeal.

106. In any Cause in the said Court of Admiralty Bail may be taken to answer the Judgment as well of the said Court as of the Court of Appeal, and the said Court of Admiralty may withhold the Release of any Property under its Arrest until such Bail has been given; and in any Appeal from any Decree or Order of the Court of Admiralty, or of the said Court of Appeal in Chancery in any Appeal thereto, preferred by virtue of this Act, the Court to which such Appeal shall be brought may make and enforce its Order against the Surety or Sureties who may have signed any such Bail Bond, in the same Manner as if the Bail had been given in the Court of Appeal.

Certified Notes of Evidence may be admitted on Appeal.

107. In any Appeal preferred by virtue of this Act the Notes of Evidence taken, as herein-before provided, by or under the Direction of the Judge of the Court of Admiralty, shall be certified by the Judge to the Court to which such Appeal is preferred, and shall be admitted to prove the oral Evidence given in the Court of Admiralty; and no Evidence shall be admitted on such Appeal to contradict the

Notes of Evidence so taken and certified as aforesaid: Provided always, that nothing herein contained shall enure to prevent the Court of Appeal in Chancery or the Judicial Committee of the Privy Council from directing Witnesses to be examined and re-examined upon such Facts as to the said Court of Appeal in Chancery or the Judicial Committee shall seem fit.

Notes of Evidence on Appeal to Court of Appeal in Chancery to be certified to the Privy Council.

108. In any Appeal preferred by virtue of this Act from the said Court of Appeal in Chancery, the Notes of Evidence (if any) taken by or under the Direction of that Court shall be certified by the Lord Chancellor to the said Judicial Committee of the Privy Council, and no Evidence shall be admitted on such Appeal to contradict the Notes of Evidence so taken and certified as last aforesaid; but nothing herein contained shall enure to prevent the said Judicial Committee from directing Witnesses to be examined and re-examined upon such Facts as to the said Judicial Committee shall seem fit.

Appeal from an Order, &c. of the Court made on an Appeal to it.

109. An Appeal shall lie from a Decree, Order, or Decision of the High Court of Admiralty made or given on Appeal from a local Court, in like Cases and in like Manner as Appeals lie from the High Court of Admiralty in Causes originally instituted therein.

Costs of Appeal.

110. Where in an Appeal under this Act the Appellant is unsuccessful, he shall pay the Costs of the Appeal, unless the Appellate Court shall otherwise direct.

Limit of Time for all Appeals from Court of Admiralty.

111. The Time for appealing from any Decree or Order of the Court of Admiralty in any Cause instituted after the passing of this Act (under this Act or otherwise) shall be limited to Two Months from the Date of the Decree or Order appealed from, and an Appeal shall not be allowed unless the Petition of Appeal is lodged in the Registry of the Court of Admiralty and the Court of Appeal within that Time; subject to the Provision, that it shall be lawful for the Court of Appeal to which such Appeal shall be made to allow, under special Circumstances, the Appeal to be prosecuted notwithstanding that the Petition of Appeal has not been lodged within that Time.

PART VI.—STAMPS SUBSTITUTED INSTEAD OF FEES.

From Commencement of Act, Judge, Registrar, &c. not to receive Fees on their own Account.

112. The Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, may by Order from Time to Time increase, diminish, alter, or abolish all or any of the Fees payable in relation to Proceedings in the Court of Admiralty, and may substitute One or more Fee or Fees in lieu thereof.

Lord Chancellor may, with Consent of the Treasury, vary, alter, or abolish Fees.

113. From and after the Commencement of this Act, no Officer of the said Court of Admiralty shall be entitled to or take for his own Use or Benefit, directly or indirectly, any Fee or Emolument whatsoever, save the Salary to which he shall be entitled by virtue of this Act.

From Commencement of Act Fees to be collected by Stamps.

114. From and after the Commencement of this Act, the Fees payable in relation to Proceedings in the Court of Admiralty and the local Courts aforesaid shall not be received in Money, but shall be collected by means of Stamps.

Such Fees to be Stamp Duties.

115. The Fees to be collected by means of Stamps under this Act shall be deemed Stamp Duties, and shall be under the Management of the Commissioners of Inland Revenue, and the Money received for such Stamps shall, under the Direction of the Commissioners of Her Majesty's Treasury, be carried into and shall form Part of the Consolidated Fund.

Stamps to be impressed or adhesive, as the Treasury shall direct.

116. The Stamps to be used under this Act shall be impressed or adhesive, as the Commissioners of Her Majesty's Treasury shall from Time to Time direct.

The Treasury, with Concurrence of Judge, may make Rules regulating the Use of Stamps and Cancellation of adhesive Stamps.

117. The Commissioners of Her Majesty's Treasury, with the Concurrence of the Judge of the Court of Admiralty, may from Time to Time make such Rules as may seem fit for regulating the Use of Stamps under this Act, and particularly for prescribing the Application thereof to Documents from Time to Time in use or required to be used for the Purposes of such Stamps, and for ensuring the proper Cancellation of adhesive Stamps.

No Document to be received or used unless stamped.

118. No Document which by any Order as aforesaid ought to have had a Stamp impressed thereon or affixed thereto shall be received or filed or be used in relation to any Proceeding in the Court of Admiralty, or be of any Validity for any Purpose whatsoever,

soever, unless or until the same shall have a Stamp impressed thereon or affixed thereto in the Manner directed by such Order: Provided always, that if at any Time it shall appear that any such Document which ought to have had a Stamp impressed thereon or affixed thereto has through Mistake or Inadvertence been received or filed or used without having such Stamp impressed thereon or affixed thereto, the Judge may, if he shall think fit, order that a Stamp not exceeding in Value Four Times the Amount of such original Stamp shall be impressed thereon or affixed thereto, and thereupon, when the proper Stamp shall, in compliance with such Order, have been impressed on such Document or affixed thereto, such Document and every Proceeding in reference thereto shall be as valid and effectual as if such Stamp had been impressed thereon or affixed thereto in the first instance.

Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.

119. If any Officer of the Court of Admiralty or other Person shall do or commit or connive at any fraudulent Act or Practice in relation to any Stamp to be used under the Provisions of this Act, or to any Fee or Sum of Money to be collected or which ought to be collected by means of any such Stamp, or if any such Officer or Person shall be guilty of any wilful Act, Neglect, or Omission in relation to any such Stamp or Fee as aforesaid, whereby any Fee or Sum of Money which ought to be collected shall be lost or the Payment thereof evaded, any such Officer or Person so offending may be dismissed from his Office or Employment by the Judge of the said Court of Admiralty.

Compensation to the Registrar of the Court of Delegates.

120. And whereas *Joseph Hamilton* Esquire, the present Registrar of Appeals and Provocations Spiritual in *Ireland*, will suffer Loss in his said Office by the Abolition of Appeals from the Court of Admiralty to the High Court of Delegates in *Ireland*, and the said *Joseph Hamilton* has held his said Office for upwards of Forty-three Years: There shall be paid to the said *Joseph Hamilton* by way of Compensation such Annuity as the Commissioners of Her Majesty's Treasury may deem just and proper, not exceeding the Average of the net Profits of his said Office from Admiralty Appeals on an Average for the Five Years ending Thirty-first *December* One thousand eight hundred and sixty-five, to commence from the Day when this Act shall come into operation, and to continue during his Life.

Compensation to Proctors.

121. Whereas the Number of Persons entitled to practise as Proctors of the said Court of Admiralty does not exceed Six, and the

the Fees or Emoluments of the said Proctors may be damaged by the Abolition of the exclusive Rights and Privileges which they have hitherto enjoyed as such Proctors in the said Court: Be it enacted, That the Commissioners of Her Majesty's Treasury, by Examination on Oath or otherwise, which Oath they are hereby authorized to administer, may inquire into, and may, by the Production of such Evidence as they shall think fit to require, including the Returns for the Assessment of Income Tax made by such Proctors before the passing of this Act, and the Receipts for Payment of such Tax, ascertain and absolutely determine the net annual Amount of the Profits arising from the Transaction of Business by Proctors on Matters and Causes in such Admiralty Court on an Average of Five Years immediately preceding the Commencement of this Act, and shall award to each and every such Proctor a Sum of Money or annual Payment during the Term of his natural Life, not exceeding in Value One Half of the net Profits derived by such Proctor in respect of Matters and Causes in the said Court of Admiralty, upon the said Average of Five Years immediately preceding the Commencement of this Act: Provided, that if any such Person shall be at any Time appointed to any Office under this Act, or any other Office of Profit of a like Nature, or any other Employment as an established Civil Servant of the State, he shall during his Continuance in any such Office or Employment be entitled to receive such Part only, if any, of the annual Sum awarded to him under this Clause as shall with the Salary and Profits of such Office or Employment make an annual Sum equal to the annual Sum so awarded to him: Provided also, that the Portion of the Business of the Queen's Proctor which he discharges for Her Majesty shall not be taken into account in estimating his Compensation under this Clause.

Compensation to Proctors in Partnership.

122. And whereas divers Proctors practising in the said Court of Admiralty now are or may at the Commencement of this Act be associated together in Partnership: Be it therefore enacted, That in all such Cases the Commissioners of Her Majesty's Treasury shall inquire into and ascertain the Terms or Conditions of such Partnerships, and shall absolutely determine and award Compensation in respect thereof, as herein-before provided, to each of such Partnerships, in like Manner as if all the Emoluments thereof had been derived by One Individual, and shall apportion such Compensation among the Members of each such Partnership, with or without Benefit of Survivorship, regard being had to the existing Terms and Conditions of the same.

123. Except

Retiring Pensions, &c. to be paid out of Monies provided by Parliament.

123. Except as is herein-before expressly provided, the several Retiring Pensions and Compensations granted by this Act shall be paid by the Commissioners of Her Majesty's Treasury out of such Funds as may be provided by Parliament for that Purpose.

Extent of Act.

124. This Act shall apply to *Ireland* only.

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to contribute to or to be benefited by any Fund to the Account of which the Penalty payable in respect of such Offence is directed to be carried or of which it will form Part, or to contribute to any Rate or Expenses in diminution of which such Penalty will go.

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Corporate, and Market Towns in Ireland *in certain Cases,* and that the Registrar shall pay over to the Treasurer of such Town and Township the surplus Monies arising from the Sale of Licences to Persons resident within the Boundaries of the said Town and Township in manner directed by the Fifteenth Section of said Act of Twenty-eighth and Twenty-ninth *Victoria,* Chapter Fifty, to be applied by the Treasurer in aid of the Rates of such Town and Township, in such Manner as the Town Commissioners shall direct.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

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VICTORIÆ REGINÆ.

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Limitation of Interest of Members.

2. A Society registered under this Act may hold in its registered Name any Amount of Interest in any other Society so registered, but if any other Person hold or claim in any Society so registered any Interest exceeding Two hundred Pounds Sterling, such Person shall incur a Penalty equal to the Excess of such Interest over the said Sum.

Provisions of the Friendly Societies Acts applied to Industrial and Provident Societies.

3. The Provisions following contained in the Acts under mentioned relating to Friendly Societies shall apply to all Societies registered under this Act, and no such Provision shall be affected in its Application to such Societies by its Repeal in regard to Friendly Societies, unless the contrary be expressly declared by the Act repealing the same; and in applying such Provisions Words concerning the Trustee of any Society shall be taken to apply to the Society, except the Context precludes such Construction; (that is to say,)

So much of the Friendly Societies Acts, 1855 and 1858, as relates to—

18 & 19 Vict. c. 63. s. 24. The Punishment of Fraud in withholding any Money or other Property belonging to any Society:

18 & 19 Vict. c. 63. ss. 41., 42., 43; and 21 & 22 Vict. c. 101. s. 1. The Determination of Disputes by the County Courts in *England*, the Sheriffs Court in *Scotland*, and the Assistant Barrister in *Ireland*, and the Orders and Proceedings for this Purpose:

18 & 19 Vict. c. 63. s. 30. The Reception of Rules and other Instruments in Evidence;

18 & 19 Vict. c. 63. s. 37. The Exemption of Rules and other Instruments from Stamp Duty:

21 & 22 Vict. c. 101. s. 4. The Power to any Society to change its Name.

Certificate of Registration.

4. Two Copies of the Rules shall be forwarded to the Registrar of Friendly Societies of *England*, *Scotland*, or *Ireland*, according to the Place where the Office of the Society is situate, and shall be dealt with by him in the Manner provided by "The Friendly Societies Act, 1855," and he shall thereupon give his Certificate of Registration, and such Certificate shall in all Cases be conclusive Evidence that the Society has been duly registered, and thereupon the Members of such Society shall become a Body Corporate, by the Name therein described, having a perpetual Succession and a Common Seal, with Power to purchase, erect, and sell, and convey, or to hold Lands and Buildings, with limited Liability.

Power to nominate Persons unto whose Name the Interests of Members may be

5. A Member of any Society registered under this Act may, by any Writing under his Hand delivered at the registered Office of the Society, appoint any Person being the Husband, Wife, Father, Mother, Child, Brother, Sister, Nephew, or Niece of such Member, to whom his Shares in the Society shall be transferred at his Decease, provided

provided that the Sum credited to the Account of such Member in the Books of the Society does not exceed Fifty Pounds Sterling, and may from Time to Time revoke or vary any such Nomination by a Writing under his Hand similarly delivered; and the Secretary of every such Society shall keep a Book wherein the Names of all Persons so nominated shall be regularly entered, and the Shares comprised in any such Nomination shall be transferable to the Nominee, although the Rules of the Society declare its Shares to be generally not transferable: Provided nevertheless, that the Society may, in lieu of making such Transfer, elect to pay to any Nominee the full Value of the Shares comprised in the Nomination to him, and shall pay him the full Value of any such Shares which, if transferred into his Name, would increase his Interest in the Society to an Amount exceeding Two hundred Pounds Sterling.

transferred at their Death.

6. All Penalties imposed by the Industrial and Provident Societies Act, 1862, or by this Act, or by the Rules of any Society registered under the said Act, shall be recoverable, with Costs, and dealt with in a Manner directed by the Friendly Societies Acts, in regard to the Penalty thereby imposed, on any Default in transmitting the Returns thereby required, and at the Suit of the Registrar in the Case of Penalties imposed by the recited Act or by this Act, or in the Case of Penalties imposed by the Rules of any Society so registered at the Suit of the Society.

Recovery of Penalties.

7. Two Copies of every Alteration of or Addition to the Rules of every Society registered under this Act, signed by Seven Members of the Society, and countersigned by the Secretary, shall be sent to the Registrar for his Certificate of Registration, and shall be accompanied by a Declaration in the Form contained in the Schedule hereto annexed; and no Alterations of or Additions to the Rules of any Society registered under this Act, made after the passing hereof, shall be valid until they are so certified.

Alterations of or Additions to Rules to be registered.

Declarations to accompany Copies.

8. The Registrar shall give his Certificates respectively in the Forms contained in the said Schedule in the Cases thereto mentioned.

Form of Certificate.

9. All Returns required under the Twenty-fourth Section of the recited Act to be made to the Registrar of Friendly Societies shall be sent to him by each Society registered thereunder on or before the First Day of *March* in every Year; and every such Society which does not send any such Return, or furnish Copies thereof, or of its Rules, as is required by the recited Act or hereby, shall incur a Penalty not less than Forty Shillings nor exceeding Five Pounds for each such Offence; and every Person who makes or orders to be

Penalties on not sending Returns, &c.

be made any false Statement or any Omission in any such Return, with Intent to deceive the Registrar, shall incur a Penalty not exceeding Fifty Pounds Sterling for each Return so dealt with.

Form of Rules provided as moved.

10. The Form of Rules contained in the Schedule hereto may be adopted by any Society desirous of being registered under this Act, either without any Addition or with any Additions or Alterations agreeable to Law.

Societies established previous to recited Act to be deemed to be established from Registration under either Act.

11. Every Society established previous to the passing of the recited Act for any of the Purposes in such Act mentioned shall be deemed to be a Society established under such Act from the Registration of such Society under the Provisions of the recited Act or of this Act.

Exemption from Income Tax.

12. A Society registered under this Act, and not allowing any Member thereof to hold or claim any Interest therein or Monies therefrom exceeding in Value the Sum of Two hundred Pounds, shall not be chargeable with the Duty under Schedule (C.) or Schedule (D.) of the Income Tax Acts: Provided that the above Exemption shall not be construed to relieve any Member of such Society, or Person employed by such Society, to whom any Portion of the Profits of the Society shall be paid, from Assessment to the said Duties in respect of such Payment in any Case in which the total Income of such Member or other Person, inclusive of his Portion of the said Profits, shall amount to the Sum of One hundred Pounds or upwards.

Lists to be returned to Commissioners for Special Purposes containing the Names, &c. of Persons entitled to Profits.

13. The Secretary or other Managing Officer of any Society registered under this Act shall, within Twenty-one Days after the Sixth Day of *April* in every Year, transmit to the Commissioners for Special Purposes of the Income Tax Acts a List containing the Name and Residence of every Member of such Society or other Person to whom Profits made by the Society have been paid or shall be payable within or for the Year ended on the Fifth Day of *April* preceding, and the Amounts paid or payable to each Member or other Person, and thereupon the Special Commissioners shall take the necessary Steps for charging the said Duties, under the Regulations of the Income Tax Acts, on such of the said Persons as may be liable thereto; and any Secretary or other Officer of any such Society who shall neglect to make out and deliver to the Commissioners for Special Purposes, within the Time specified by this Act, a List containing the Particulars hereby required, shall forfeit and pay the Sum of Fifty Pounds, to be recovered in like Manner as Penalties imposed for like Default by the Income Tax Acts.

14. The

Short Title.

14. The recited Act, so far as it is not hereby repealed, shall be incorporated with this Act, and may be cited with it as the Industrial and Provident Societies Act, 1867, and the Schedule hereto annexed shall be substituted for the Schedule thereto; all Societies registered under the recited Act shall be taken to be registered under this Act; and in construing the recited Act and this Act Provisions relating to the Rules or Name of any Society shall apply to the registered Rules and Name thereof for the Time being, and the Registrar shall mean the Registrar of Friendly Societies for *England*, *Scotland*, or *Ireland*, according to the Place where the Office of the Society is situate.

Construction of Act.

SCHEDULE referred to in this Act.

Of Matters to be provided for by the Rules of Societies established under this Act.

1. Object, Name, and Place of Office of the Society.
2. Terms of Admission of Members.
3. Mode of holding Meetings and Right of voting, and of making or altering Rules.
4. Determination whether the Shares, or any Number thereof, shall be transferable, and in case it be determined that the Shares, or any Number thereof, shall be transferable; Provision for the Form of Transfer and Registration of Shares, and for the Consent of the Committee of Management and Confirmation by a General Meeting of the Society; and in case it be determined that the Shares shall not be transferable, Provision for paying to Members the Balance due to them on withdrawing from the Society.
5. Provision for the Audit of Accounts.
6. Determination whether and by what Authority any Part of Capital may be invested in or on the Security of another Society, provided that no such Investment be authorized in any Society not registered under this Act, or under the Companies Act as a Company with limited Liability.
7. Determination whether and how Members may withdraw from the Society, and Provisions for the Claims of Executors, Administrators, or Assigns of Members, and for paying Nominees in the Case herein mentioned.
8. Mode of Application of Profits.
9. Appointment of Managers and other Officers, and their respective Powers and Remuneration.
10. Provisions for the Custody, Use, and Device of the Seal of the Society, which shall in all Cases bear the registered Name thereof.

FORMS OF CERTIFICATE TO BE GIVEN UNDER THIS ACT.

Certificate of Registration of a Society.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] hereby certify that the Society, Limited, established at in the County of is registered under the Industrial and Provident Societies Act, 1867.

Given under my Hand this Day of 18 .

Registrar of Friendly Societies.

Certificate,

Industrial and Provident Societies.

Certificate, to follow Rules upon the Registration of a Society established under this Act.

I hereby certify that the foregoing Rules of the Society, Limited, are in conformity with Law, and that the said Society is duly established from the present Date, and is subject to the Provisions and entitled to the Privileges of the Acts relating to Industrial and Provident Societies.

Day of 18 .

Registrar of Friendly Societies.

Certificate of Alterations of Rules.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] do hereby certify that the foregoing Alterations of [*or* Additions to] the Rules of the Society, Limited, established at in the County of are in conformity with Law, and are registered from the present Date under the Industrial Societies Act.

Given under my Hand this Day of 18 .

Registrar of Friendly Societies.

Certificate of changed Name.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] hereby certify that the registered Name of the Society, Limited, established at in the County of is changed from the Date hereof to the Name following,—

Society, Limited, and is in accordance with the Industrial and Provident Societies Acts.

Given under my Hand this Day of

Registrar of Friendly Societies.

FORM OF DECLARATION TO ACCOMPANY ALTERATIONS OF OR ADDITIONS TO RULES.

Register No. .

Society,

Limited, established at

(State Street, Parish, and County of Place of Business.)

I, of

the Clerk* of the above-mentioned Society, do solemnly and sincerely declare that in the altering, amending, or rescinding the

* Secretary, *or* One of the Officers.

Rules

Rules of the said Society, *or* making new Rules, (*as the Case may be,*) the Rules of the said Society have been duly complied with.

And I make this solemn Declaration, conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the Fifth and Sixth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to repeal an Act of the present Session of Par-" liament, intituled 'An Act for the more effectual Abolition of Oaths and " 'Affirmations taken and made in various Departments of the State, and to " 'substitute Declarations in lieu thereof, and for the more entire Suppression " 'of voluntary and extra-judicial Oaths and Affidavits;' and to make other " Provisions for the Abolition of unnecessary Oaths."

Taken and received before me, One of Her Majesty's Justices of the Peace for the said County of at in the said County, this Day of 18 .

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXVIII.

An Act to provide for the Appointment of the Officers and Servants of District Lunatic Asylums in *Ireland*, and to alter and amend the Law relating to the Custody of dangerous Lunatics and dangerous Idiots in *Ireland*.

[20th *August* 1867.]

WHEREAS under the Provisions of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, and of the several Acts amending the same, District Lunatic Asylums have been established in *Ireland*: 1 & 2 G. 4. c. 33.

And whereas Doubts have arisen as to the Person or Persons by whom the Officers and Servants of such District Lunatic Asylums should be appointed:

And whereas it is expedient to remove the same, and to provide for the Appointment of the said Officers and Servants:

And

And whereas an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for the Prevention of Offences by Insane Persons in* Ireland, by which it is, amongst other things, enacted, that if any Person should be discovered and apprehended in *Ireland* under Circumstances denoting a Derangement of Mind, and a Purpose of committing some Crime for which, if committed, such Person would be liable to be indicted, it should be lawful for any Two Justices of the Peace of the County, County of a City, County of a Town, City or Town, and Liberties, before whom such Person might be brought, to call to their Assistance any legally qualified Physician, Surgeon, or Apothecary; and if upon View and Examination of the said Person so apprehended, or from other Proof, the said Justices should be satisfied that such Person was a dangerous Lunatic or a dangerous Idiot, it should be lawful for the said Justices, by Warrant under their Hands and Seals, to commit such Person to the Gaol of such County, County of a Town, City or Town, and Liberties, there to be kept in strict Custody until or unless such Person should be discharged in manner by the said Act provided:

1 Vict. c. 27.

And whereas the said Act was amended by another Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the Establishment of a Central Asylum for Insane Persons charged with Offences in* Ireland; *and to amend the Act relating to the Prevention of Offences by Insane Persons, and the Acts respecting Asylums for the Insane Poor in* Ireland; *and for appropriating the Lunatic Asylum in the City of* Cork *to the Purposes of a District Lunatic Asylum:*

8 & 9 Vict. c. 107.

And whereas it is expedient further to amend the same, and to make other and better Provision for the safe Custody of dangerous Lunatics and dangerous Idiots in *Ireland:*

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. In this Act the Words following shall have the Meanings herein-after assigned to them:

"Lord Lieutenant" shall mean Lord Lieutenant of *Ireland* and the Lords Justices or other Chief Governors or Governor of *Ireland* for the Time being:

"Officer" shall include Resident Medical Superintendent, Consulting and Visiting Physician, Chaplains, Matron, Apothecary, Clerk

Clerk and Storekeeper, Schoolmaster and Schoolmistress of any District Lunatic Asylum, and any Person discharging any Duties in any such Asylum whom the Lord Lieutenant by Order in Council shall so designate.

Power to Lord Lieutenant in Council to determine Staff of Officers and Servants of District Lunatic Asylum.

2. It shall be lawful for the Lord Lieutenant from Time to Time, by Order in Council, to determine the Staff of Male and Female Officers and Servants of any District Lunatic Asylum, and to direct that the same shall be increased, diminished, or altered, as he shall think fit, and to appoint the Salaries and define the Duties of the said Officers and Servants, and to make Rules and Regulations for the Control and Guidance of the said Officers and Servants.

Appointment of Resident Medical Superintendent and Visiting Physician and other Officers and Servants.

3. When any Vacancy happens in the Office of Resident Medical Superintendent of any District Lunatic Asylum in *Ireland* it shall be lawful for the Lord Lieutenant to appoint a Person to fill such Vacancy; and when any Vacancy happens in any other Office in any such Asylum the Governors of the same shall, with the Approval of the Lord Lieutenant, appoint a fit Person to fill the same: Provided that no Person shall be appointed Resident Medical Superintendent or Visiting Physician who is not duly qualified to practise both Medicine and Surgery, and registered as such under the Medical Act, 1858, or any Act amending the same; and the said Governors shall appoint all the Servants necessary for such Asylum; and when any District Lunatic Asylum shall hereafter be established the Officers and Servants of the same shall respectively be appointed in like Manner.

Appointment of certain Officers to be in the first instance probationary only.

4. The Appointment of any Officer by the Governors of any District Lunatic Asylum shall in the first instance be probationary only; and the same shall require to be confirmed by the Governors at a Meeting to be held not sooner than Three nor later than Six Calendar Months from the Date of the probationary Appointment; and every Appointment confirmed by the Governors shall be laid before the Lord Lieutenant for his Approval; and if the Governors shall not, at a Meeting held within the Period of Six Months herein provided, confirm such probationary Appointment, or if they shall at such Meeting refuse to confirm the same, or if the Lord Lieutenant shall refuse to approve of any Appointment so confirmed, and shall notify such Refusal to the Governors, the Officer so appointed shall cease to hold his Office, and the same shall become vacant from the Expiration

Expiration of such Period of Six Months, or from the Date of the Meeting at which the Governors shall so refuse to confirm the Appointment, or from such Notification by the Lord Lieutenant, as the Case may be.

Lord Lieutenant shall appoint Officers in default of Governors.

5. If the Governors of any District Lunatic Asylum shall neglect to appoint any Officer or Servant whom they are empowered to appoint, and who shall be required to complete the Staff for the Time being determined on for any such Asylum, for the Space of Two Calendar Months after they shall have been called upon to make such Appointment by Writing under the Hand of One of the Inspectors of Lunatic Asylums, the Lord Lieutenant shall appoint such Officer.

Tenure of Office of Officers and Servants.

Power to remove Officers.

6. The Resident Medical Superintendent of any District Lunatic Asylum now or hereafter to be appointed shall hold Office during the Pleasure of the Lord Lieutenant; and all other Officers of any District Lunatic Asylum now or hereafter to be appointed may be removed by the Governors of such Asylum with the Approbation of the Lord Lieutenant, and any Servant in any such Asylum may be dismissed by the Governors thereof.

Confirmation of Appointments hitherto made.

7. All Appointments made by the Lord Lieutenant to any Office or Situation in any District Lunatic Asylum in *Ireland* before the passing of this Act shall be valid and effectual.

Superannuation.

8. From and after the passing of this Act it shall be lawful for the Governors of any District Lunatic Asylum, with the Approval of the Inspectors of Lunatics, or One of them, on the Retirement of any Officer or Servant whose whole Time has been devoted to the Service of such Asylum, to direct that any Officer or Servant shall receive such Superannuation Allowances as they shall think proper; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Governors shall proceed according to the Principles laid down by "The Superannuation Act, 1859;" and every such Superannuation Allowance shall be advanced, paid, presented for, and raised in like Manner as any other Monies advanced or raised for supporting and maintaining such District Lunatic Asylum: Provided always, that nothing herein contained shall prejudice or affect the Right to Superannuation of any Person employed in any District Lunatic Asylum previous to the passing of this Act.

9. From

No dangerous Lunatic or dangerous Idiot to be committed to any Gaol in Ireland.

9. From and after the First Day of *January* One thousand eight hundred and sixty-eight it shall not be lawful for Two or more Justices to commit to any Gaol in *Ireland* any Person proved to their Satisfaction to be a dangerous Lunatic or dangerous Idiot, anything in the recited Acts to the contrary notwithstanding.

Dangerous Lunatics and dangerous Idiots to be sent to Asylums.

10. From and after the First Day of *January* One thousand eight hundred and sixty-eight whenever any Person shall be brought before any Two Justices of any County, County of a City, County of a Town, City or Town, and it shall be proved to their Satisfaction that such Person was discovered and apprehended under Circumstances denoting a Derangement of Mind, and a Purpose of committing some Crime for which, if committed, such Person would be liable to be indicted, the said Justices shall call to their Assistance the Medical Officer, or, if there be more than One, the nearest available Medical Officer of the Dispensary District in which they shall be at the Time, and if there shall not be any such Medical Officer available, then the nearest available Medical Officer of any neighbouring Dispensary District, who shall examine such Person without Fee or Reward; and if such Medical Officer shall certify that such Person is a dangerous Lunatic or a dangerous Idiot, it shall be lawful for the said Justices, by Warrant under their Hands and Seals, to direct that such Person shall be taken to the Lunatic Asylum established either wholly or in part for the County, County of a City, or County of a Town in which he shall have been apprehended; and every such Person shall remain under Confinement in such Asylum, and be there maintained, in like Manner and subject to the same Conditions as if such Person had been removed from any Gaol to such Asylum by virtue of the Warrant of the Lord Lieutenant under the Provisions of the recited Act of the First Year of Her present Majesty, Chapter Twenty-seven: Provided always, that nothing herein contained shall be construed to restrain or prevent any Relation or Friend from taking such Person under his own Care and Protection if he shall enter into sufficient Recognizance for his or her peaceable Behaviour or safe Custody before Two Justices of the Peace, or the Chairman of the Court of Quarter Sessions of the County in which such Person shall be confined, or One of the Judges of Her Majesty's Superior Courts at *Dublin*.

Persons removed to Lunatic Asylums may be dis-

11. Whenever it shall be duly certified by the Resident Medical Superintendent or Visiting Physician of any District Lunatic Asylum that any Person removed to such Lunatic Asylum as aforesaid has become

charged on Medical Certificate. 9 & 10 Vict. c. 115. s. 3.

become of sound Mind, or has ceased to be or is not a dangerous Lunatic, or is not a dangerous Idiot, such Person may lawfully be discharged from such Lunatic Asylum without the Order of the Lord Lieutenant, as in the Case of other Lunatic Poor.

LONDON:
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27 & 28 Vict. c. 91. repealed, but not to apply to Offences before passing this Act.

4. The Naval and Victualling Stores Act, 1864, is hereby repealed; but this Repeal or anything in this Act shall not apply to or in respect of any Offence, Act, or Thing committed or done before the passing of this Act, save that this Act shall apply to Stores bearing any such Mark or Part of a Mark as in this Act mentioned, whether applied before or after the passing of this Act.

Marks in Schedule appropriated for Naval Stores.

5. The Marks described in the Schedule to this Act may be applied in or on Stores therein described in order to denote Her Majesty's Property in Stores so marked.

It shall be lawful for the Admiralty, their Contractors, Officers, and Workmen, to apply those Marks or any of them in or on any such Stores.

If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), applies any of those Marks in or on any such Stores, he shall be guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Obliteration, with Intent to conceal, &c., Felony.

6. If any Person, with Intent to conceal Her Majesty's Property in any Stores, takes out, destroys, or obliterates, wholly or in part, any such Mark as aforesaid, he shall be guilty of Felony, and shall, on Conviction thereof, be liable, in the Discretion of the Court before which he is convicted, to be kept in Penal Servitude for any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Knowingly receiving, &c. marked Stores a Misdemeanor.

7. If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), receives, possesses, keeps, sells, or delivers any Stores bearing any such Mark as aforesaid, or any Part of any such Mark, knowing them to bear such Mark or Part of a Mark, he shall be guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Knowledge of Stores being marked presumed against Dealers, &c.

8. Where the Person charged with such a Misdemeanor as last aforesaid was at the Time at which the Offence is charged to have been committed in Her Majesty's Service, or in the Service of the Admiralty, or a Dealer in Marine Stores or in old Metals, or a Pawnbroker, Knowledge on his Part that the Stores to which the Charge relates bore such a Mark or Part of a Mark as aforesaid shall be presumed until the contrary is shown.

9. A Person

Summary Conviction in certain Cases.

9. A Person charged with such a Misdemeanor as last aforesaid in relation to Stores the Value whereof does not exceed Five Pounds shall be liable, on summary Conviction before a Justice of the Peace, to a Penalty not exceeding Twenty Pounds, or, in the Discretion of the Justice, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Penalty on Dealer, &c. found in possession of unmarked Stores, and not accounting.

10. If Stores are found in the Possession of a Person being in Her Majesty's Service or in the Service of the Admiralty, or being a Dealer in Marine Stores or in old Metals, or a Pawnbroker, and he is taken or summoned before a Justice of the Peace, and such Stores do not bear any such Mark or Part of a Mark as aforesaid, but the Justice sees reasonable Grounds for believing them to be or to have been Her Majesty's Property, then if such Person does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable, on summary Conviction before the Justice, to a Penalty not exceeding Five Pounds.

Effect of Conviction of Dealer in old Metals.

11. A Conviction under this Act of a Dealer in old Metals shall, for the Purposes of Registration and its Consequences under The Old Metal Dealers Act, 1861, be equivalent to a Conviction under that Act.

Persons not Dealers in Marine Stores, &c., found in possession, and not satisfactorily accounting for them, liable to a Penalty.

12. In order to prevent a Failure of Justice in some Cases by reason of the Difficulty of proving Knowledge of the Fact that Stores bore such a Mark as aforesaid,—

If Stores bearing such a Mark or Part of a Mark are found in the Possession of a Person not being in Her Majesty's Service or in the Service of the Admiralty, and not being a Dealer in Marine Stores or in old Metals, or a Pawnbroker, the following Provisions shall have Effect :—

(1.) If such Person, when taken or summoned before a Justice of the Peace, does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable, on Conviction by the Justice, to a Penalty not exceeding Five Pounds :

(2.) If he satisfies the Justice that he came by the Stores so found lawfully, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case require, may summon before him every Person through whose Hands such Stores appear to have passed, and if any such Person as last aforesaid who has had Possession thereof does not satisfy the Justice that he came by the same lawfully, he shall be liable, on summary Conviction before the Justice, to a Penalty not exceeding Five Pounds.

13. For

Criminal Possession of Stores explained for Purposes of Act.

13. For the Purposes of this Act Stores shall be deemed to be in the Possession or Keeping of any Person if he knowingly has them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Field, or Place, open or inclosed, whether occupied by himself or not, and whether the same are so had for his own Use or Benefit or for the Use or Benefit of another.

Policemen of Metropolitan Force may stop suspected Persons, &c.

14. A Constable of the Metropolitan Police Force may, within the Yard and Limits for which he is sworn, stop, search, and detain any Vessel, Boat, or Carriage in or on which there is Reason to suspect that any of Her Majesty's Stores stolen or unlawfully obtained may be found, or any Person reasonably suspected of then and there having in his Possession any such Stores stolen or unlawfully obtained.

Sections 98, 99, 100, 103, 107 to 113, and 115 to 121 of 24 & 25 Vict. c. 96. incorporated with this Act.

15. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign (Chapter Ninety-six), "to consolidate and amend the Statute Law "of *England* and *Ireland* relating to Larceny and other similar "Offences," shall be incorporated with this Act, and shall for the Purposes of this Act be read as if they were here re-enacted, namely, Sections Ninety-eight to One hundred, One hundred and three, One hundred and seven to One hundred and thirteen, and One hundred and fifteen to One hundred and twenty-one, all inclusive; and for this Purpose the Expression "this Act," when used in the Sections herein incorporated, shall be taken to include the present Act.

Prohibition of sweeping, &c. within 100 Yards of Dockyards, &c.

16. It shall not be lawful for any Person, without Permission in Writing from the Admiralty, or from some Person authorized by the Admiralty in that Behalf (Proof of which Permission shall lie on the Party accused), to gather or search for Stores, or to creep, sweep, or dredge in the Sea or any tidal Water, within One hundred Yards from any Vessel belonging to Her Majesty or in Her Majesty's Service, or from any Mooring Place or Anchoring Place appropriated to such Vessels, or from any Moorings belonging to Her Majesty, or from any of Her Majesty's Wharves, or Dock, Victualling, or Steam Factory Yards, or in or on any Part of the Spaces or Distances from Time to Time marked out as Ranges for Artillery Practice for the Use of Her Majesty's Ships at *Portsmouth*, *Devonport*, or elsewhere, whether covered with Water or not.

Penalty.

If any Person acts in contravention of this Provision he shall be liable, on summary Conviction before a Justice of the Peace, to a Penalty not exceeding Five Pounds, or to be imprisoned for any Term not exceeding Three Months, with or without Hard Labour.

17. Not-

Penalties, &c. to be applied under Orders of Admiralty.

17. Notwithstanding anything in any Act relating to Municipal Corporations or to the Metropolitan Police Force or in any other Act, any pecuniary Penalty or other Money recovered under this Act shall be paid or applied as the Admiralty direct.

Not to prevent Persons being indicted under this Act, &c.

18. Nothing in this Act shall prevent any Person from being indicted under this Act or otherwise for any indictable Offence made punishable on summary Conviction by this Act, or prevent any Person from being liable under any other Act or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Act, so that no Person be punished twice for the same Offence.

Amendment of Sect. 45 of 28 & 29 Vict. c. 89.

19. Section Forty-five of The *Greenwich Hospital* Act, 1865, shall be read and have Effect as if this Act instead of The Naval and Victualling Stores Act, 1864, were referred to in that Section.

Amendment of 28 & 29 Vict. c. 112. as to Repeal of certain Sections of 9 & 10 W. 3. c. 41.

20. The Repeal by The Admiralty Acts Repeal Act, 1865, of Sections One, Two, Four, Five, and Eight of the Act of the Session of the Ninth and Tenth Years of the Reign of King *William* the Third (Chapter Forty-one), "for the better preventing the Imbezle-" ment of His Majesty's Stores of War, and preventing Cheats, " Frauds, and Abuses in paying Seamen's Wages," is hereby repealed as far as those Sections relate to any Stores except Naval or Victualling Stores, or other Stores belonging to or under the Charge or Control of the Admiralty, or to *Scotland* or *Ireland*, and to that Extent those Sections are hereby revived; but nothing herein contained shall interfere with the Operation of any other Act of the present Session.

SCHEDULE.

Marks appropriated for Her Majesty's Use in or on Stores.

Stores.	Marks.
Hempen Cordage and Wire Rope -	White, Black, or Coloured Worsted Threads laid up with the Yarns and the Wire respectively.
Canvas, Fearnought, Hammocks, and Seamen's Bags.	A Blue Line in a Serpentine Form.
Buntin - - - - -	A double Tape in the Warp.
Candles - - - - -	Blue or Red Cotton Threads in each Wick, or Wicks of Red Cotton.
Timber, Metal, and other Stores not before enumerated.	The Broad Arrow.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Year ending 31st March 1868 the Sum of 19,106,591*l.* 2*s.* out of the Consolidated Fund.

Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, the Sum of Nineteen million one hundred and six thousand five hundred and ninety-one Pounds and Two Shillings out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury for the Time being are hereby empowered to issue and apply the same accordingly.

Bank of England may advance 19,106,591*l.* 2*s.* on the Credit of this Act.

2. The Governor and Company of the Bank of *England* may make Advances to Her Majesty, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to an Amount not exceeding in the whole the Sum of Nineteen million one hundred and six thousand five hundred and ninety-one Pounds and Two Shillings; and such Advances shall be made on the Application of the Commissioners of Her Majesty's Treasury, from Time to Time, in such Sums as may be required for the Public Service, and shall be placed to the Credit of the Account of Her Majesty's Exchequer at the Bank of *England*, and be available to satisfy the Orders for Credits granted or to be granted on the said Account, under the Provisions of the "Exchequer and Audit Departments Act, 1866," in respect of any Services voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Interest on Advances.

3. The Advances made by the Bank of *England* from Time to Time under the Authority of this Act shall bear Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem*, and the Principal and Interest of all such Advances shall be paid out of the growing Produce of the Consolidated Fund at any Period not later than the next succeeding Quarter to that in which the said Advances shall have been made.

Treasury may apply for the Service of the Year ending 31st Mar. 1868, 1,475,177*l.* 18*s.* Surplus of Ways and Means.

4. There may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, the Sum of One million four hundred and seventy-five thousand one hundred and seventy-seven Pounds Eighteen Shillings, being the Surplus of Ways and Means granted for the Service of preceding Years, and the Commissioners of Her Majesty's Treasury may issue and apply the same accordingly.

Schedule (A.) (Part 1st.)

42,874,887*l.* 5*s.* 6*d.*

5. All the Moneys coming into the Exchequer of the United Kingdom of *Great Britain* and *Ireland* by the Acts set forth in Part I. of the Schedule (A.) to this Act, amounting in the aggregate to

to the Sum of Forty-two million eight hundred and seventy-four thousand eight hundred and eighty-seven Pounds Five Shillings and Sixpence, are hereby appropriated and may be issued and applied for or towards the several Purposes expressed in Part II. of the said Schedule, and herein-after more particularly set forth.

Deficiencies on certain Grants for Civil Services to 31st Mar. 1866, 40,143*l.* 18*s.* 9*d.* Schedule (B.)

6. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Forty thousand one hundred and forty-three Pounds Eighteen Shillings and Ninepence to make good Deficiencies on certain Grants for Civil Services for the Year ended on the Thirty-first Day of *March* One thousand eight hundred and sixty-six mentioned in the Schedule (B.) to this Act.

Deficiency on Grant for Inland Revenue to 31st March 1866, 16,644*l.* 6*s.* 9*d.* Schedule (B.)

7. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Sixteen thousand six hundred and forty-four Pounds Six Shillings and Ninepence to make good the Deficiency on the Grant for the Inland Revenue Department for the Year ended on the Thirty-first Day of *March* One thousand eight hundred and sixty-six mentioned in the said Schedule (B.)

Supplementary Grants for Civil Services to 31st March 1867, 312,330*l.* Schedule (C.)

8. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Three hundred and twelve thousand three hundred and thirty Pounds to defray the Charge for certain Supplementary Grants for Civil Services for the Year ended on the Thirty-first Day of *March* One thousand eight hundred and sixty-seven mentioned in the Schedule (C.) to this Act.

Navy Services, 10,976,253*l.* Schedule (D.)

9. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Ten million nine hundred seventy-six thousand two hundred and fifty-three Pounds for or towards the Navy Services more particularly mentioned in the Schedule (D.) to this Act, to defray the Charges for the several Services specified in the said Schedule which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Army Services, 15,252,200*l.* Schedule (E.)

10. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Fifteen million two hundred and fifty-two thousand and two hundred Pounds for or towards the Army Services more particularly mentioned in the Schedule (E.) to this Act, to defray the Charges for the several Services specified in the said Schedule, which

which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Exchequer Bonds, 1,700,000*l.*

11. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million seven hundred thousand Pounds to pay off and discharge Exchequer Bonds which will become payable during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 1. —— 892,535*l.* Schedule (F.)

12. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (F.) to this Act, to defray the Charges of the several Civil Services (Class I.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 2. —— 1,703,230*l.* Schedule (G.)

13. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (G.) to this Act, to defray the Charges of the several Civil Services (Class II.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 3. —— 3,028,942*l.* Schedule (H.)

14. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (H.) to this Act, to defray the Charges of the several Civil Services (Class III.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 4. —— 1,502,554*l.* Schedule (I.)

15. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (I.) to this Act, to defray the Charges of the several Civil Services (Class IV.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 5. —— 498,580*l.* Schedule (J.)

16. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (J.) to this Act, to defray the Charges of the several Civil Services (Class V.)

(Class V.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

17. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (K.) to this Act, to defray the Charges of the several Civil Services (Class VI.) specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 6. —— 359,558*l.* Schedule (K.)

18. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (L.) to this Act, to defray the Charges of the several Civil Services (Class VII.) specified in the said Schedule, which will come in course of Payment in the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Civil Services. *Class* 7. —— 208,854*l.* Schedule (L.)

19. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding the Sums respectively mentioned in the Schedule (M.) to this Act, to defray the Charges for the Services of the several Revenue Departments specified in the said Schedule, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Revenue Departments, 5,045,000*l.* Schedule (M.)

20. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Eight hundred and seven thousand four hundred and twenty-eight Pounds, to defray the Charge of the Post Office Packet Service which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight, no Part of which Sum is to be applicable or applied in or towards making any Payment in respect of any Period subsequent to the Twentieth Day of *June* One thousand eight hundred and sixty-three to Mr. *Joseph George Churchward*, or to any Person claiming through or under him by virtue of a certain Contract, bearing Date the Twenty-sixth Day of *April* One thousand eight hundred and fifty-nine, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the First Part, and the said *Joseph George Churchward* of the Second Part, or in or towards the Satisfaction of any Claim whatsoever of the said *Joseph George Churchward* by virtue

Post Office Packet Service, 807,428*l.*

of that Contract, so far as relates to any Period subsequent to the Twentieth Day of *June* One thousand eight hundred and sixty-three.

Advances for new Courts of Justice, 202,000*l.*

21. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding Four hundred and two thousand Pounds, to defray the Charge for Advances for the Purchase of a Site and for other Expenses for the new Courts of Justice, and Offices belonging thereto, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Advances for Greenwich Hospital and School, 28,635*l.*

22. Out of all or any the Aids or Supplies aforesaid there may be issued and applied any Sum or Sums of Money not exceeding One hundred and twenty-eight thousand six hundred and thirty-five Pounds, to defray the Charge for Advances for *Greenwich Hospital* and School, which will come in course of Payment during the Year ending on the Thirty-first Day of *March* One thousand eight hundred and sixty-eight.

Supplies to be applied only for the Purposes aforesaid.

23. The said Aids and Supplies provided as aforesaid shall not be issued or applied to any Use, Intent, or Purpose whatsoever other than the Uses, Intents, and Purposes before mentioned or specified in the several Schedules referred to in this Act.

Sanction for Navy and Army Expenditure for 1865–6 unprovided for.

8 & 29 Vict. c. 123. s. 27.

24. Whereas the Commissioners of the Treasury, under the Powers vested in them by the Act Twenty-eighth and Twenty-ninth *Victoria*, Chapter One hundred and twenty-three, Section Twenty-seven, have authorized Expenditure not provided for in the Sums appropriated to Naval and Military Services by the said Act to be temporarily defrayed out of Surpluses which have arisen by the Saving of Expenditure upon Votes within the same Department for the Year ended on the Thirty-first Day of *March* One thousand eight hundred and sixty-six, as follows:

Navy Deficiency, 156,085*l.* 3*s.* 8*d.*

1st, One hundred fifty-six thousand and eighty-five Pounds Three Shillings and Eightpence for Navy Services unprovided for in the Grants for Navy Services for the said Year, temporarily defrayed out of Surpluses, amounting to Three hundred and forty-four thousand and eight Pounds Sixteen Shillings and Eightpence, which have arisen upon certain Votes for Navy Services for the same Year:

Navy Surplus, 344,008*l.* 16*s.* 8*d.*

Army Deficiency, 358,765*l.* 5*s.* 10*d.*

2nd, Three hundred fifty-eight thousand seven hundred and sixty-five Pounds Five Shillings and Tenpence for Army Services unprovided for in the Grants for Army Services for the said Year, temporarily defrayed out of Surpluses, amounting to Five hundred eighty-five thousand eight hundred

dred and sixty-two Pounds Seventeen Shillings and Fivepence, which have arisen upon certain Votes for Army Services for the same Year:

Army Surplus, 585,862*l.* 17*s.* 5*d.*

It is enacted that the Application of so much of the said Surpluses to cover the said Deficiencies is hereby sanctioned.

Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.

25. The respective Departments charged with the detailed Application of the Sums granted by this Act for Navy and Army Services shall confine the Expenditure of their respective Departments within the particular Amounts appropriated to each of the separate Services comprised in the Sum of Ten million nine hundred seventy-six thousand two hundred and fifty-three Pounds granted by this Act for Naval Services, and in the Sum of Fifteen million two hundred and fifty-two thousand and two hundred Pounds granted by this Act for Army Services: Provided always, that if a Necessity shall arise for incurring Expenditure not provided for in the Sums appropriated to Naval and Military Services by this Act, and which it may be detrimental to the Public Service to postpone until Provision can be made for it by Parliament in the usual Course, the respective Departments shall forthwith make Application in Writing to the Commissioners of Her Majesty's Treasury for their Authority to defray temporarily such Expenditure out of any Surpluses which may have been or which may be effected by the Saving of Expenditure upon Votes within the same Department, and in such Applications the Departments shall represent to the Commissioners of the Treasury the Circumstances which may render such additional Expenditure necessary, and thereupon the said Commissioners may authorize the Expenditure unprovided for as aforesaid to be temporarily defrayed out of any Surpluses which may have been or which may be effected as aforesaid upon Votes within the same Department; and a Statement showing all Cases in which the Naval and Military Departments shall have obtained the Sanction of the said Commissioners to any Expenditure not provided for in the respective Votes aforesaid, accompanied by Copies of the Representations made to them by the said Departments, shall be laid before the House of Commons not later than One Month after the Accounts of the Receipt and Expenditure for Navy and for Army Services for the Year shall respectively have been rendered to the Commissioners of Audit, if Parliament be then sitting, and if not then within One Week after Parliament shall be next assembled, in order that such Proceedings may be submitted for the Sanction of Parliament, and that Provision may be made for the Deficiencies upon the several Votes for the said Services in such Manner as Parliament shall determine:

10,976,253*l.*

15,252,200*l.*

Treasury may, in certain Cases of Exigency, authorize Expenditure unprovided for; provided that the aggregate Grants for the Navy Services and for the Army Services respectively be not exceeded.

determine: Provided also, that the Commissioners of the Treasury shall not authorize any Expenditure which may cause an Excess upon the aforesaid aggregate Sums granted by this Act for Naval Services and for Army Services respectively.

Rules to be observed in the Application of the Sum granted for Half Pay.

26. And as to the Sum granted by this Act for the Half Pay of Officers of Her Majesty's Forces, it is hereby enacted and declared, That the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in Her Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a Reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place or Employment of Profit under Her Majesty, or in Her Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison, and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government, no Officer shall receive any Part of his Half Pay unless with Her Majesty's Approbation, to be signified by the Secretary of State for War to the Paymaster General, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government; that no Person who shall, on or before the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, have held any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under

under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay or as herein-after mentioned, nor in any such excepted Cases unless Her Majesty's special Approbation be signified as aforesaid, and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Declaration the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General, with Her Majesty's Approbation signified by the Secretary of State for War as aforesaid, to issue, on or before the Twenty-fourth Day of *December* One thousand eight hundred and sixty-seven, so much of the Half Pay claimed by any such Officer as shall, together with the net annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as shall be required by the Secretary of State for War; but no Person who, after the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, has been appointed to any Civil Place or Employment of Profit (except in Her Majesty's Household) under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit (except as aforesaid) under Her Majesty beyond the Seas, or under any other Government, other than that of a Barrack Master under the Secretary of State for War, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be serving as an Adjutant in the Volunteer Force, or who shall be entitled to the same under any Act or Acts relating to the General or Local Militia, or to the Yeomanry, but that every such Adjutant shall receive the same on making and subscribing such Declaration as shall be specified in the Regulations made for the Volunteer Force, under the Provisions of the Volunteer Act, 1863, and every other Person shall receive the same according to the Provision of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers, in *Great Britain* or *Ireland*, may and shall receive any Half Pay, together with

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

any Pay in the General or Local Militia, or Yeomanry or Volunteers, upon making and subscribing a Declaration in any Case in which an Oath or Declaration shall be required in and by any Act or Acts, or specified in any Warrant of Her Majesty, as the Case may be, and stating in such Declaration the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers: Provided always, that from and after the First Day of *January* One thousand eight hundred and sixty-eight it shall be lawful for the Paymaster General to issue the Half Pay or any Portion thereof to any Officer appointed to Civil Place or Employment of Profit under Her Majesty or any other Government since the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, if Her Majesty's Pleasure to that Effect be signified by the Commissioners of Her Majesty's Treasury through the Secretary of State for War, but such Permission to be granted under the Restrictions before mentioned: Provided always, that an Account shall be laid before Parliament in every Year on or before the First Day of *April*, if Parliament be then sitting, or, if Parliament shall not then be sitting, on the First Day of the sitting of Parliament after the First Day of *April*, of the Number of Officers who are allowed to receive their Half Pay with Civil Emoluments, specifying the Names of such Officers, with the respective Amounts of their Half Pay, and the Emoluments of their respective Civil Employments, and distinguishing in every such Account the Officers to whom such Half Pay shall have been allowed subsequent to preceding Accounts.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

27. The Commissioners of Her Majesty's Treasury may authorize the Receipt of Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere in Civil Situations of Responsibility with small Emoluments will be conducive to Economy, and thereby beneficial to the Public Service, and in every such Case the Officer authorized to receive Half Pay with the Salary or Emolument of any Civil Employment shall signify the same in his Declaration, specifying the Office, and the Authority under which he is so allowed to receive his Half Pay.

Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

28. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years in consequence of being in possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in possession of Ecclesiastical Preferment, provided

provided the same was private Patronage, and not derived from the Crown, and that they should be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or been unable to receive such Half Pay in any Year in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Declarations to be made before Receipt of Sums appropriated.

Before whom such Declarations to be made.

29. And as to the several Sums appropriated by this Act for defraying Army, Navy, or Civil non-effective Services, no Person shall receive any Part of the same without subscribing a Declaration to such Purport and Effect as shall be required in that Behalf; and such Declaration shall and may be made and subscribed before any of Her Majesty's Justices of the Peace, Notary Public, or Resident Minister in the United Kingdom of *Great Britain* and *Ireland*, or the Colonies or Dominions of Her Majesty; and when such Declarations are taken abroad they shall be made and subscribed before a *British* Minister, Secretary of Embassy, Secretary of Legation, Consul, or *British* Chaplain, or before a Notary Public or some Magistrate or other Person competent to administer such Declarations; and as regards Naval Services before the Lord High Admiral or a Lord Commissioner or Secretary of the Admiralty, or a Superintendent of a Dockyard, Victualling, or Medical Establishment, or before an Officer in command of One of Her Majesty's Ships, or a Chaplain serving on board One of Her Majesty's Ships; and such Declarations for Army, Navy, and Civil Services may also be made and subscribed before any other Person now by Law authorized to administer or receive such Declarations, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures, specified in an Act passed in the Fifth and Sixth Years of His late Majesty for the Abolition of unnecessary Oaths.

SCHEDULES to which this Act refers.

SCHEDULE (A.)—WAYS AND MEANS.

PART 1st.

SCHEDULE of WAYS AND MEANS referred to in Section 5 of this Act; viz.:

For the Years 1866 and 1867:

	£	s.	d.
Granted per Act 30 Vict. Cap. 4. for the Service of the Years ending 31st March 1866 and 31st March 1867 -	369,118	5	6

For the Year 1867–8:

Granted for the Service of the Year ending 31st March 1868; viz.:

Per Act 30 Vict. Cap. 7. - - - - -	7,924,000	–	–
Per Act 30 Vict. Cap. 30. - - - - -	14,000,000	–	–
Per Section 1 of this Act - - - - -	19,106,591	2	–
Per Section 4 of this Act (being Surplus Ways and Means granted for the Service of preceding Years)	1,475,177	18	–

	£	s.	d.			
Total Grants of WAYS AND MEANS to meet the following SUPPLIES -	1866 & 1867 -	369,118	5	6	£42,874,887	5	6
	1867–8	42,505,769	0	0			

PART 2nd.

ABSTRACT OF THE SUPPLIES GRANTED BY THIS ACT.

For the Year 1865–6, Supplemental:	£	s.	d.
Deficiencies on Grants for Civil Services (Section 6, Schedule B.)	40,143	18	9
Deficiency on Grant for Inland Revenue (Section 7, Schedule B.)	16,644	6	9
Supplementary Grants for Year ending 31st March 1867 (Sec. 8, Schedule C.) - - - - - - -	312,330	–	–
For the Year 1867–8:			
Navy Services - - (Sec. 9, Schedule D.) - -	10,976,253	–	–
Army Services - - (Sec. 10, Schedule E.) - - -	15,252,200	–	–
Exchequer Bonds - (Sec. 11) - - - -	1,700,000	–	–
Civil Services, Class I. (Sec. 12, Schedule F.) - £892,535			
Class II. (Sec. 13, Schedule G.) - 1,703,230			
Class III. (Sec. 14, Schedule H.) - 3,028,942			
Class IV. (Sec. 15, Schedule I.) - 1,502,554			
Class V. (Sec. 16, Schedule J.) - 498,580			
Class VI. (Sec. 17, Schedule K.) - 359,558			
Class VII. (Sec. 18, Schedule L.) - 208,854			
	8,194,253	–	–
Revenue Departments (Sec. 19, Schedule M.) - - -	5,045,000	–	–
Post Office Packet Service (Sec. 20) - - - -	807,428	–	–
Advances for New Courts of Justice and Offices (Sec. 21) - -	402,000	–	–
Advances for Greenwich Hospital and School (Sec. 22) -	128,635	–	–
Total of SUPPLIES chargeable upon the above WAYS AND MEANS	42,874,887	5	6

SCHEDULE (B.)

SCHEDULE of SUMS comprised in the Sums of 40,143*l.* 18*s.* 9*d.* and 16,644*l.* 6*s.* 9*d.*, making together the Sum of 56,788*l.* 5*s.* 6*d.*, granted by Sections 6 and 7 to make good Deficiencies on the several Grants for Civil and Inland Revenue Services herein particularly mentioned for the Year ended on the 31st Day of March 1866; viz.:—

		£ s. d.	£ s. d.
CLASS II.	Office of Public Works, Ireland	747 6 0	
	Postage of Public Departments	8,522 14 5	
CLASS III.	Law Charges, &c., England	6,007 9 10	
	Law Charges and Criminal Prosecutions, Ireland	7,722 19 5	
	Maintenance, &c. of Prisoners	11,293 5 3	
CLASS V.	Special Missions, &c.	3,266 15 7	
	St. Helena	1,571 4 0	
CLASS VII.	Miscellaneous Expenses	1,012 4 3	
			40,143 18 9
REVENUE DEPARTMENTS	Inland Revenue		16,644 6 9
	TOTAL £		56,788 5 6

SCHEDULE (C.)

SCHEDULE of SUMS comprised in the Sum of 312,330*l.* granted by Section 8 to defray Charges for certain Supplementary Grants for Civil Services for the Year ended on the 31st Day of March 1867; viz.:—

		£ s. d.
CLASS I.	Royal Palaces	212 – –
	Public Buildings	905 – –
	Royal Parks and Pleasure Grounds	11,805 – –
	Houses of Parliament	600 – –
	Holyhead and Portpatrick Harbours	7,181 – –
	Burlington House Designs	1,575 – –
	Wellington Monument	2,800 – –
	Franklin Monument	817 – –
	South Kensington Roads	1,286 – –
CLASS IV.	British Museum	45,721 – –
	Universal Exhibition at Paris	50,000 – –
CLASS V.	Special Missions	12,479 – –
CLASS VII.	Subsidies to Telegraph Companies	792 – –
	Miscellaneous Expenses formerly defrayed from Civil Contingencies	65,676 – –
	Anglo-Chinese Flotilla Compensation	101,300 – –
	Drawbacks on Sugar Experiments	9,181 – –
	TOTAL £	312,330 – –

SCHEDULE (D.)—SUPPLIES.

NAVY.

SCHEDULE of SUMS comprised in the Sum of 10,976,253*l.* granted by Section 9 of this Act to defray the Charges of the NAVY SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For Wages to 67,300 Seamen and Marines	2,950,952
2.	For Victuals and Clothing for Seamen and Marines	1,241,614
3.	For Salaries of the Officers and Contingent Expenses of the Admiralty Office	176,018
4.	For Salaries and Expenses of the Coast Guard Service, the Royal Naval Coast Volunteers, and Royal Naval Reserve	267,067
5.	For Salaries of the Officers and Contingent Expenses of the several Scientific Departments of the Navy	65,106
6.	For Salaries of the Officers and Contingent Expenses of Her Majesty's Naval Establishments at home and abroad	1,375,368
7.	For Salaries of the Officers and Contingent Expenses of Her Majesty's Victualling Yards and Transport Establishments at home and abroad	86,395
8.	For Naval Medical Establishments at home and abroad	62,686
9.	For Royal Marine Divisions	17,448
10.	For Naval Stores for the building, Repair, and Outfit of the Fleet	855,511
10.	For Steam Machinery for Her Majesty's Ships and Vessels, and for Payments to be made for Ships and Vessels building or to be built by Contract	860,559
11.	For New Works, Buildings, Machinery, and Repairs in the Naval Establishments	888,588
12.	For Medicines and Medical Stores	80,664
13.	For Martial Law and Law Charges	21,332
14.	For divers Naval Miscellaneous Services	168,450
15.	For Half Pay, Reserved Half Pay, and Retirement to Officers of the Navy and Royal Marines	704,937
16.	For Military Pensions and Allowances	528,667
16.	For Civil Pensions and Allowances	218,915
17.	For Freight of Ships, for the victualling and Conveyance of Troops, on account of the Army	405,976
	TOTAL NAVY SERVICES £	10,976,253

SCHEDULE (E.)—SUPPLIES.

ARMY.

SCHEDULE of SUMS comprised in the Sum of 15,252,200*l.* granted by Section 10 of this Act to defray the Charges of the ARMY SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For the General Staff and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at home and abroad, exclusive of India	5,839,450
2.	For the Commissariat Establishment, Services, and Movement of Troops	1,290,000
3.	For Clothing Establishments, Services, and Supplies	570,000
4.	For the Barrack Establishment, Services, and Supplies	646,000
5.	For Divine Service	42,000
6.	For Martial Law	21,000
7.	For the Medical Establishments, Services, and Supplies	275,600
8.	For the Disembodied Militia	904,850
9.	For the Yeomanry	88,000
10.	For the Volunteers	361,000
11.	For the Enrolled Pensioners and Army Reserve Forces	68,000
12.	For the Manufacturing Departments	1,162,500
13.	For Warlike Stores	393,000
14.	For the Superintending Establishment of, and the Expenditure for, Works, Buildings, and Repairs at home and abroad	843,400
15.	For Military Education	165,000
16.	For the Surveys of the United Kingdom	88,300
17.	For Miscellaneous Services	149,200
18.	For the Administration of the Army	218,600
19.	For Rewards for Military Service	26,100
20.	For the Pay of General Officers	72,000
21.	For the Pay of Reduced and Retired Officers	462,800
22.	For Widows Pensions and Compassionate Allowances	158,600
23.	For Pensions and Allowances to Wounded Officers	25,200
24.	For Chelsea and Kilmainham Hospitals, and the In-Pension thereof	35,800
25.	For the Out-Pensioners of Chelsea Hospital, &c.	1,186,800
26.	For Superannuation Allowances, &c.	136,000
27.	For the Non-effective Services of the Disembodied Militia and Yeomanry Cavalry	23,000
	TOTAL ARMY SERVICES £	15,252,200

SCHEDULE (F.)—Supplies.

CIVIL SERVICES.—Class I.

Schedule of Sums granted by Section 12 of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For the Maintenance and Repair of the Royal Palaces	41,945
2.	For the Maintenance and Repair of Public Buildings; for providing the necessary Supply of Water for the same; for Rents of Houses for the temporary Accommodation of Public Departments, and Charges attendant thereon	120,805
3.	For the Supply and Repair of Furniture in the Public Departments	13,500
4.	For maintaining and keeping in repair the Royal Parks, Pleasure Gardens, &c.	125,326
5.	For Works and Expenses at the New Houses of Parliament	55,137
6.	For the Maintenance and Repairs of Embassy Houses, &c. at Paris and Madrid	1,670
7.	For erecting a new Office for the Secretary of State for Foreign Affairs, and for providing Furniture	49,000
8.	For the Purchase of Land and Houses near Downing Street Site for Public Offices	46,000
9.	For Expenses connected with the Probate Court and Registries	21,260
10.	For enlarging the Public Record Repository, and providing the necessary Fittings	3,420
11.	Towards the Purchase of a Site for the Enlargement of the National Gallery	32,000
12.	For erecting a Building for the Use of the University of London	25,000
13.	For the Repair and Restoration of the Chapter House at Westminster	10,000
14.	For Purchase of Lands for New Palace at Westminster, and further Embankment of the Thames	30,000
15.	For adapting Burlington House for the Occupation of various Learned Bodies	15,000
16.	For One Half of the Expense of erecting, improving, and maintaining Court Houses or Offices for the Sheriff Courts in Scotland	21,000
17.	For Contributions in aid of Local Assessments for the Relief of the Poor in respect of certain Descriptions of Government Property	27,000
	Carried forward	638,063

Consolidated Fund (Appropriation).

No.		Sums not exceeding
		£
	Brought forward - -	638,063
18.	For the Maintenance and Repairs of the Embassy Houses, Chapel, Consular Offices, Hospital, Surgeon's House, and Prison at Constantinople - - - - - -	4,000
19.	For a Contribution towards the Establishment and Maintenance of a Fire Brigade in the Metropolis - -	10,000
20.	For constructing certain Harbours of Refuge - -	76,700
21.	For Works and Expenses at the new Packet Harbour and Harbour of Refuge at Holyhead, for Portpatrick Harbour, and for Works at Spurn Point - - - -	29,475
22.	For erecting, repairing, and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland - - - - - -	74,837
23.	For the Purchase or Erection of Buildings for the Queen's University in Ireland - - - - - -	7,000
24.	For the Restoration of the Works of the Ulster Canal -	7,500
25.	For erecting and maintaining certain Lighthouses abroad -	41,360
26.	Towards the Erection in the Isle of Man of an Asylum for the Reception of Criminal and other Lunatics - -	3,600
	TOTAL CIVIL SERVICES, CLASS I. - £	892,535

SCHEDULE (G.)—Supplies.

CIVIL SERVICES.—Class II.

Schedule of Sums granted by Section 13 of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For Salaries and Expenses in the Offices of the Two Houses of Parliament and for Allowances to Retired Officers	73,491
2.	For Salaries and Expenses of the Department of Her Majesty's Treasury	52,836
3.	For Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department	27,308
4.	For Salaries and Expenses in the Department of Her Majesty's Secretary of State for Foreign Affairs	67,410
5.	For Salaries and Expenses in the Department of Her Majesty's Secretary of State for the Colonies	33,250
6.	For Salaries and Expenses in the Department of Her Majesty's Most Honourable Privy Council	30,423
7.	For Salaries and Expenses in the Office of the Committee of Privy Council for Trade, including the Office of the Registrar of Merchant Seamen, the Joint Stock Companies Registration Office, and the Designs Office	68,386
8.	For Salary of the Lord Privy Seal, and the Salaries and Expenses of his Establishment	2,938
9.	For conducting the Business of the Civil Service Commission	9,091
10.	For Salaries and Expenses in the Department of Her Majesty's Paymaster General	20,200
11.	For Salaries and Expenses in the Exchequer and Audit Department	38,000
12.	For Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings	32,463
13.	For Salaries and Expenses of the Office of Woods, Forests, and Land Revenues	25,744
14.	For Salaries and Expenses of the Department of Public Records	21,383
15.	For Expenses connected with the Administration of the Laws relating to the Poor	312,798
16.	For the Establishment of the Mint, including Expenses of the Coinage	44,158
17.	For Salaries and Expenses of the Inspectors of Factories, Mines, Fisheries, Alkali Works, and Proving Establishments	39,622
18.	For Salaries of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Offices in Scotland, and other Expenses formerly paid from the Hereditary Revenue	5,989
19.	For Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland	6,413
	Carried forward	911,903

Consolidated Fund (Appropriation).

No.		Sums not exceeding £
	Brought forward -	911,903
20.	For Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London -	15,733
21.	For Salaries and Expenses of the Office of Public Works in Ireland - - - - - - - -	24,620
22.	For the Expense of the Copyhold, Inclosure, and Tithe Commission - - - - - - - -	20,101
23.	For the Imprest Expenses of the Copyhold, Inclosure, and Tithe Commission, under the Inclosure and Drainage Acts -	11,600
24.	For Salaries and Expenses in the Departments of the Registrars General of Births, &c., in London, Dublin, and Edinburgh - - - - - - - - -	69,025
25.	For Salaries and Expenses in the National Debt Office -	15,424
26.	For Salaries and Expenses of the Establishments under the Public Works Loan Commissioners, and the West India Islands Relief Commissioners - - - -	4,349
27.	For certain Expenses of the Office of the Commissioners in Lunacy in England, and the Salaries and Expenses of the Board of Lunacy in Scotland, and of the Office of the Inspectors of Lunatic Asylums in Ireland, including Allowances for Architect and Secretary of the Board of Control of Lunatic Asylums in Ireland - - - - -	14,144
28.	For Salary and Expenses of the General Superintendent of County Roads in South Wales - - - -	1,223
29.	For Salaries and Expenses in the Departments of the Registrars of Friendly Societies in England, Scotland, and Ireland - - - - - - - - - -	2,414
30.	For Salaries and Expenses of the Charity Commission for England and Wales - - - - - -	18,115
31.	For Salaries and Expenses of the Office in London under the Local Government Act, and for the Expense of the Inspection of Burial Grounds in England and Wales - -	7,041
32.	For Salaries and Expenses of the Office of Land Revenue Records and Inrolments in London, and of the Landed Estates Record Office in Dublin - - - -	2,724
33.	For Expenses connected with Quarantine Arrangements -	1,444
34.	For Her Majesty's Foreign and other Secret Services -	32,000
35.	For Stationery, Printing, and Binding and Printed Books for the several Public Departments, and for Stationery, Printing, &c. for the Two Houses of Parliament, including the Expense of the Stationery Office - - - - - -	384,020
36.	For Postage of Letters on the Public Service in the several Departments - - - - - - - - -	167,350
	TOTAL CIVIL SERVICES, CLASS II. - - £	1,703,230

SCHEDULE (H.)—Supplies.

CIVIL SERVICES.—Class III.

Schedule of Sums granted by Section 14 of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
	ENGLAND.	
1.	For Law Charges, and for Salaries, Allowances, and incidental Expenses, including Prosecutions relating to Coin, in the Department of the Solicitor for the Affairs of Her Majesty's Treasury	33,440
2.	For Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates, including Adjudications under the Criminal Justice Act, Sheriffs' Expenses, Salaries in lieu of Fees to Clerks of Assize and other Officers, and for Compensation to Clerks of the Peace under the same Act	189,035
3.	For Police in Counties and Boroughs in England and Wales, and for Police in Scotland	266,925
4.	For Salaries and Expenses in the Offices of the Registrar and Marshal of the High Court of Admiralty, and for Expenses of the Admiralty Court, Dublin	12,625
5.	For Salaries and Expenses of the First Commissioner of the late Insolvent Debtors' Court, and of the Clerks and Officers of the said late Court now acting in the Court of Bankruptcy and in the Offices connected therewith	3,236
6.	For Salaries and Expenses of the Courts of Probate and Divorce and Matrimonial Causes	88,467
7.	For Salaries and Expenses connected with the County Courts	144,127
8.	For Salaries and Expenses of the Office of Land Registry	5,440
9.	For the Police Courts of the Metropolis	22,103
10.	For the Metropolitan Police	164,848
11.	For Remuneration to Revising Barristers in England and Wales	17,850
12.	For Annuities by way of Compensation falling due under the Divorce and Matrimonial Causes Act	658
13.	For Compensations and Retiring Annuities of certain Holders of abolished Offices under the Bankruptcy Act, 1861	14,292
14.	Common Law Courts, including Crown Office, Queen's Bench	52,381
	SCOTLAND.	
15.	For Salaries and incidental Expenses connected with Criminal Proceedings in Scotland	72,447
16.	For Salaries and Expenses of the Officers of the Courts of Law and Justice in Scotland	48,850
17.	For Salaries and Expenses of the several Offices in Her Majesty's General Register House, Edinburgh	16,486
	Carried forward	1,153,210

No.		Sums not exceeding £
	IRELAND.	
	Brought forward -	1,153,210
18.	For the Expense of Criminal Prosecutions and other Law Charges - - - - - - -	77,314
19.	For Salaries and Expenses of certain Officers of the Court of Chancery - - - - - -	6,522
20.	For Salaries and Expenses of the Courts of Queen's Bench, Common Pleas, and Exchequer, and of Offices connected with those Courts - - - - - -	14,852
21.	For Salaries of the Registrars to the Judges on Circuit -	4,407
22.	For Compensations to Seneschals and other Officers of Manor Courts - - - - - - -	2,025
23.	For Salaries and Expenses in the Office for the Registration of Judgments - - - - - -	2,869
24.	For Salaries and Expenses of the Office for the Registration of Deeds - - - - - - -	14,051
25.	For Fees to Advocates appointed to act as Commissioners of the High Court of Delegates - - -	100
26.	For Salaries of the Judges and Officers and the incidental Expenses of the Court of Bankruptcy and Insolvency, and the Compensations awarded under the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty - - - - -	6,899
27.	For Salaries of the Court of Probate, and the Expenses of the said Court, and of the District Registries - -	10,673
28.	For Salaries and Expenses of the Landed Estates Court -	12,492
29.	For Salaries of Process Servers - - - -	8,500
30.	For Remuneration to Revising Barristers in the City of Dublin - - - - - - -	420
31.	For Salaries of the Police Justices, and for the Expense of the Divisional Police Courts and the Metropolitan Police, Dublin - - - - - -	50,600
32.	For the Constabulary Force - - - - -	851,513
33.	For Expenses of the Four Courts Marshalsea Prison, Dublin	2,724
34.	For Inspection and General Superintendence over all the Prisons and certified Reformatories and Industrial Schools in the United Kingdom - - - - -	20,400
35.	For Government Prisons and Convict Establishments at home - - - - - -	328,677
36.	For Maintenance of Prisoners in County Gaols, Reformatory Institutions, and Lunatic Asylums; and for the Expenses of the Removal of Convicts - - - - -	287,099
37.	For Transportation of Convicts, &c. - - - -	21,709
38.	For the Convict Establishments in the Colonies - -	151,886
	TOTAL CIVIL SERVICES, CLASS III. - - £	3,028,942

SCHEDULE (I.)—SUPPLIES.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted by Section 15 of this Act to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

	Sums not exceeding
	£
1. For Public Education in Great Britain - - -	705,865
2. For the General Management of the Department of Science and Art, and of the Establishments connected therewith -	221,387
3. For Public Education in Ireland under the Commissioners of National Education in Ireland - - -	344,700
4. For Salary of the Secretary and the Expenses of the Office of the Commissioners of Education in Ireland - -	730
5. For the University of London - - - -	8,711
6. For Grants to Scottish Universities - - -	18,918
7. For the Queen's University in Ireland - - -	2,515
8. For the Queen's Colleges in Ireland - - -	4,265
9. For the Royal Irish Academy - - - -	700
10. For the Establishment and Expenses of the National Gallery of Ireland, and for the Purchase of Pictures - -	2,183
11. For Salaries of the Theological Professors, and the incidental Expenses of the General Assembly's College at Belfast, and for Retired Allowances to Professors of the Belfast Academical Institution - - - -	2,500
12. For a Grant to the Trustees of the British Museum in aid of the Expenses of that Establishment - -	99,621
13. For the Expenses of the National Gallery, including the Purchase of Pictures - - - -	15,895
14. For the Formation of the Gallery of Portraits of the most eminent Persons in British History - -	1,650
15. For Magnetic and Meteorological Observations, &c. -	13,215
16. On account of the Annuity to the Board of Manufactures in Scotland, in discharge of Equivalents under the Treaty of Union and for the Exhibition of the Torrie Collection	3,600
17. For Expenses of the British Department of the Universal Exhibition at Paris in 1867 - - - -	53,799
18. For Grants in Aid of the Expenditure of certain Learned Societies in Great Britain - - - -	2,300
TOTAL CIVIL SERVICES, CLASS IV. - £	1,502,554

SCHEDULE (J.)—Supplies.

CIVIL SERVICES.—Class V.

Schedule of Sums granted by Section 16 of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For the Civil Establishment of the Bermudas	2,500
2.	For the Ecclesiastical Establishment of the British North American Provinces	3,038
3.	For the Salaries and Allowances of the Governors, Lieutenant Governors, and others in the West Indies, and certain other Colonies	22,678
4.	For Salaries and Allowances of the Stipendiary Justices in the West Indies	6,300
5.	For the Civil Establishments on the Western Coast of Africa	18,500
6.	For the Island of Saint Helena	4,230
7.	For the Orange River Territory (Cape of Good Hope)	500
8.	For Heligoland	1,100
9.	For the Falkland Islands	5,836
10.	For Labuan	2,183
11.	For the Emigration Board and Emigration Officers at the different Ports of this Kingdom, and for certain other Expenses connected with Emigration	11,036
12.	For the Expedition to the Niger River	1,000
13.	For Expenses connected with the Emigration of Coolies from India to French Colonies	1,100
14.	On account of the Treasury Chest	3,000
15.	For Bounties on Slaves and Tonnage Bounties, for Expenses incurred for the Support and Conveyance of captured Negroes, and for other Charges under the Acts for the Abolition of the Slave Trade	32,000
16.	For Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves	8,750
17.	For the Consular Establishments abroad	166,188
18.	For the Establishments in China, Japan, and Siam	135,983
19.	For the Extraordinary Disbursements of Her Majesty's Embassies and Missions abroad	35,000
20.	For special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers and others	35,000
21.	For Salaries of the Third Secretaries at Her Majesty's Embassies and Missions abroad	2,658
	Total Civil Services, Class V. £	498,580

SCHEDULE (K.)—Supplies.

CIVIL SERVICES.—Class VI.

Schedule of Sums granted by Section 17 of this Act to defray the Charges of the several Civil Services herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding £
1.	For Superannuation Allowances and Retired Allowances to Persons formerly employed in the Public Service -	197,035
2.	For enabling Her Majesty to grant Relief to Toulonese and Corsican Emigrants, St. Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from Her Majesty - - - - - -	638
3.	Towards the Support of the Refuge for the Destitute -	325
4.	For the Subsistence of Polish Refugees and Allowances to distressed Spaniards - - - - - -	2,580
5.	For Pensions to Masters and Seamen of the Merchant Service, and to their Widows and Children, under the Merchant Seamen's Fund Act, and for Compensation to the late Officers of the Trustees of the Merchant Seamen's Fund - - - - - - - - -	52,040
6.	For the Relief of distressed British Seamen abroad - -	35,400
7.	For miscellaneous Allowances formerly defrayed from the Civil List, the Hereditary Revenues, &c., and for which no permanent Provision has been made by Parliament -	3,710
8.	For Allowances granted under certain Acts of Parliament to the Treasurers of Public Infirmaries in Ireland - -	2,183
9.	For the Support of certain Hospitals in Dublin, and for the Expense of the Board of Superintendence - -	15,845
10.	For Charitable Allowances charged on the Concordatum Fund in Ireland, and other Allowances and Bounties formerly defrayed from Grants for the Lord Lieutenant's Household, Civil Contingencies, &c. - - - -	8,323
11.	For Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland - - - - - - -	41,479
	Total Civil Services, Class VI. - £	359,558

SCHEDULE (L.)—SUPPLIES.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted by Section 18 of this Act to defray the Charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding
		£
1.	For Salaries and Expenses of temporary Commissions -	31,000
2.	For Fees, Salaries, Expenses, and Compensations payable under the Provisions of the Patent Law Amendment Act - - - - - - - -	31,410
3.	For Salaries and Expenses of the Board of Fisheries in Scotland - - - - - - -	15,667
4.	For Payments on account of the Difference of Dues payable by British or Foreign Vessels under Treaties of Reciprocity - - - - - - -	53,948
5.	For Salaries of Inspectors of Corn Returns, and for Expenses defrayed by Counties for Corn Returns - - -	2,700
6.	For adjusting and defining the Boundaries of Counties, Baronies, and Parishes in Ireland - - -	550
7.	For the Expense of the Publication of the Ancient Laws and Institutes of Ireland - - - - -	416
8.	For encouraging the Cultivation of Flax in Ireland - -	2,000
9.	For the Expense of the Telegraphic Cable laid down between Malta and Alexandria, and of the Balmoral Telegraph -	780
10.	For collecting Agricultural Statistics in Great Britain -	10,000
11.	For certain Pensions to Persons formerly belonging to the Household of the King of the Belgians - - -	1,791
12.	For certain Expenses formerly charged upon the Vote for Civil Contingencies - - - - - -	33,592
13.	For the Cost of the Entertainment of Foreign Potentates on their Visit to this Country - - -	25,000
	TOTAL CIVIL SERVICES, CLASS VII. - £	208,854

SCHEDULE (M.)—Supplies.

REVENUE DEPARTMENTS.

Schedule of Sums granted by Section 19 of this Act to defray the Charges of the several Revenue Departments herein particularly mentioned, which will come in course of Payment during the Year ending on the 31st Day of March 1868; viz.:—

No.		Sums not exceeding
		£
1.	For the Salaries and Expenses of the Customs Department -	801,623
2.	For the Salaries and Expenses of the Inland Revenue Department - - - - -	1,332,707
3.	For Post Office Services and the Collection of the Post Office Revenue - - - -	2,438,929
4.	For Superannuations and Compensation Allowances, Pensions, and other non-effective Charges in the Departments of Customs, Inland Revenue, and Post Office - - -	471,741
	Total Revenue Departments - - £	5,045,000

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXI.

An Act to continue certain Turnpike Acts in *Great Britain*, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. [20th *August* 1867.]

WHEREAS it is expedient to continue for limited Times some of the Acts herein-after specified, and to repeal others, and to make further Provisions concerning Turnpike Roads:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Part I.

Local Turnpike Acts.

Repeal and Continuance of certain Turnpike Acts herein mentioned.

1. The Acts specified in the First Schedule annexed hereto shall be repealed on and after the First Day of *October* One thousand eight hundred and sixty-seven.

The Acts specified in the Second Schedule annexed hereto shall expire at the Time in that Behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1866."

The

The Acts specified in the Third Schedule annexed hereto shall continue in force until the First Day of *November* One thousand eight hundred and sixty-eight, and no longer, unless Parliament in the meantime otherwise provides.

All other Acts now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire at or before the End of the next Session of Parliament shall continue in force until the First Day of *November* One thousand eight hundred and sixty-eight, and to the End of the then next Session of Parliament.

Part II.

Amendment of Law relating to Turnpike Trusts.

As to Trustees of Turnpike Roads holding Shares in Companies which contract to supply Gas, &c. to Roads.

2. No Trustee or Commissioner of any Turnpike Road shall be liable to any Penalty or Forfeiture by reason of his being a Proprietor or Holder of a Share in any Gas Company or Water Company which contracts with the Trustees or Commissioners of such Turnpike Road for the Supply of Gas or Water for the Purposes of such Road, or of the Toll Houses thereon.

On Expiration of Trust Balance to be paid to Parishes.

3. The Trustees or Commissioners of a Turnpike Road which shall hereafter become an ordinary Highway shall, as soon as may be after the Expiration of their Trust, distribute the Balance of any Monies remaining in their Hands amongst the Parishes upon which will fall the Liability to repair the Roads of such Trust in proportion to the Mileage of such Roads in each Parish, or, if such Road shall be situated in any Highway District or Highway Districts, then the Trustees shall pay over such Balance to the Treasurer or Treasurers of such Highway District or Highway Districts in proportion to the Mileage of such Road in each such Highway District, to be distributed in manner aforesaid.

Provision as to Drivers of Carts, &c riding on Carriages on Turnpike Roads.

4. From and after the passing of this Act, no Driver of any Waggon or Cart of any kind shall be liable to any Penalty for riding upon such Carriage in any Turnpike Road, provided such Driver shall not ride upon the Shafts of such Carriage, but shall carefully drive such Carriage by means of Reins held in his Hands, such Reins being attached to every Horse drawing the same.

Ratepayers to have Access to Accounts of Trust where Repairs borne by Parish.

5. Where the Repairs of a Turnpike Road shall be thrown wholly or partly on a Parish, any Ratepayer of that Parish shall, on Payment of One Shilling to the Clerk of the Trust, and on any Day within Twenty-one Days of the General Annual Meeting of the Commissioners of such Trust, have Access, between the Hours of Ten

Ten of the Clock in the Morning and Two of the Clock in the Afternoon, to the Accounts of such Trust, and shall be empowered to examine and take a Copy of the Accounts.

Provision for Audit of Accounts in Cases herein named.

6. Where at any General Annual Meeting of the Trustees of a Turnpike Road Three or more Trustees shall state in Writing their Desire that there should be an Audit other than the Audit by the Trustees themselves of the Accounts of such Trust, the Clerk of such Trust shall apply to the Principal Secretary of State for the Home Department for an Audit of the Accounts of that Year, and the Secretary of State for the Home Department shall direct an Audit accordingly, and shall make such Regulations for holding such Audit as shall seem to him desirable: Provided always, that the Expenses of or incident to such Audit shall be deemed Expenses incurred by the Trustees of the Turnpike Road.

Short Title.

7. This Act may be cited for all Purposes as "The Annual Turnpike Acts Continuance Act, 1867."

SCHEDULES.

FIRST SCHEDULE.

Acts which are to be repealed on and after the 1st of October 1867.

Date of Act.	Title of Act.
53 G. 3. c. clxxxvii.	*So much of* an Act for enlarging the Term and Powers of an Act of King George the Second, and Two Acts of His present Majesty, for repairing the Road from Bowes in the County of York to Brough-under-Stainmore in the County of Westmorland; and for repairing and widening the Road from Maiden Castle to Kaber Cross, and other Roads therein mentioned, in the said Counties, *as relates to the Reeth and Tanhill District.*
59 G. 3. c. xii. -	An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from Kighley to Halifax in the West Riding of the County of York.
1 G. 4. c. xxxviii. -	An Act for repairing the Roads from Butt Lane in the Parish of Lawton in the County Palatine of Chester to Lawton, and from thence to Henshall's Smithy, upon Cranage Green, in the said County.
10 G. 4. c. lxxxvii. -	An Act for making and maintaining a Road from Sheepscar, through Woodhouse Carr, to Meanwood-side in the Parish of Leeds in the West Riding of the County of York.
10 G. 4. c. xc. -	An Act for more effectually repairing and maintaining the Road from Leeds to Roundhay in the West Riding of the County of York.
11 & 12 Vict. c. cxlv.	An Act for continuing the Term of an Act passed in the Eighth Year of the Reign of His Majesty King George the Fourth, intituled "An Act for more "effectually repairing and maintaining the Road from "Hulme, across the River Irwell, through Salford, to "Eccles in the County Palatine of Lancaster, and a "Branch of Road communicating therewith," so far as relates to the Road from Hulme to Eccles, for the Purpose of enabling the Trustees to pay off the Debt now due on the said Roads.

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
14 Vict. c. xxxi. -	An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Western District of the Richmond and Lancaster Turnpike Road.
18 & 19 Vict. c. ciii.	An Act to amend and extend the Provisions of the Act relating to the Gomersal and Dewsbury Turnpike Roads, and to create a further Term therein, and for other Purposes.
19 & 20 Vict. c. lxxxiv.	An Act to repeal the Act relating to the Turnpike Roads from Halifax to Huddersfield in the West Riding of the County of York, and to grant a further Term in the said Roads, and further Powers for the Management thereof, and other Purposes.

SECOND SCHEDULE.

Acts which are to expire at the Date (1st November 1867) mentioned in 29 & 30 Vict. c. 105.

Date of Act.	Title of Act.
42 G. 3. c. v. - -	*So much of* an Act for repairing, altering, widening, and improving the Road leading from the City of Canterbury to the Town of Ramsgate in the Isle of Thanet in the County of Kent; and for suspending and varying, for a limited Time, so much of an Act passed in the Twenty-seventh Year of the Reign of His present Majesty, as relates to the Toll Gate, and to the Tolls now payable by virtue of the said Act, on the Road leading from the said City of Canterbury to the Isle of Thanet, *as relates to the First District of Roads.*
52 G. 3. c. lxxxi. -	An Act for repairing the Road from Chatham to Canterbury in the County of Kent.
53 G. 3. c. clxxxviii.	An Act for enlarging the Term and Powers of an Act of King George the Second and Two Acts of His present Majesty, for amending the Road from Maidstone in the County of Kent to Tubb's Lake in the Parish of Cranbrook in the said County.
56 G. 3. c. lii. -	An Act for more effectually repairing the Road from Biggleswade to Alconbury Hill, and other Roads therein mentioned, in the Counties of Bedford and Huntingdon.
58 G. 3. c. xxxix. -	An Act for continuing and amending an Act of His present Majesty, for repairing the Road from the North End of Farnhurst Lane to the City of Chichester, and from Chichester aforesaid to Delkey in the County of Sussex.

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
59 G. 3. c. lxxxiv. -	An Act to continue and amend Three Acts for repairing the Roads from Fryer Bacon's Study to Chilton Pond, and from the Top of Hinksey Hill to Foxcombe Hill Gate in the Road leading to Farringdon in the County of Berks, so far as relates to the Oxford District of the said Roads.
59 G. 3. c. xcv. -	An Act for repairing, widening, and improving the several Roads round the City of Bristol, and for making certain new Lines of Road to communicate with the same.
1 G. 4. c. vi. -	An Act for enlarging the Term and Powers of several Acts of King George the Second and His late Majesty, for repairing several Roads leading from the Market House in the Town of Much Wenlock, and from Gleeton Hill to Cressage, in the County of Salop.
1 G. 4. c. xiv. -	An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign, for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton, in Ashton in Mackerfield in the County Palatine of Lancaster.
1 & 2 G. 4. c. xxxv.	An Act for enlarging the Term and Powers of several Acts passed in the Thirtieth Year of the Reign of His late Majesty King George the Second and in the Eighteenth and Thirty-ninth Years of the Reign of His late Majesty King George the Third, so far as the same relate to the Road from Alfold Bars in the County of Surrey to Newbridge in the County of Sussex.
1 & 2 G. 4. c. xl. -	An Act for continuing the Term and altering and amending the Powers of several Acts for repairing the Road leading from the High Street in the City of Rochester to Maidstone in the County of Kent; and for amending and improving the Road branching from the said Road at the Bridgewood Gates, and running into the Town of Chatham in the said County of Kent.
1 & 2 G. 4. c. lxxxiv.	*So much of* an Act for repairing the Road from Alemouth, through Alnwick and Rothbury, to Hexham, and a Branch from the said Road between Alnwick and Rothbury to Jockey's Dike Bridge, all in the County of Northumberland, *as relates to the Western District.*
3 G. 4. c. xxxix. -	*So much of* an Act for continuing the Term and altering and enlarging the Powers of an Act of the Forty-second Year of the Reign of His late Majesty King George the Third, for repairing and improving the Road leading from the City of Canterbury to the Town of Ramsgate in the County of Kent; and for suspending and varying for a further limited Time so much of an Act passed in the Twenty-seventh Year of the Reign of His said late Majesty as relates to the Toll Gate and to the Tolls payable by virtue of the said Act on the Road leading from the said City of Canterbury to the Isle of Thanet in the said County of Kent; and for altering the Line of certain Parts of the said Road, *as relates to the First District.*

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
3 G. 4. c. xlvii. -	An Act to enlarge the Term and Powers of several Acts passed for repairing and widening the Road from the Hand and Post in Upton Field in the Parish of Burford in the County of Oxford to a Place in the Parish of Preston in the County of Gloucester called Dancy's Fancy.
3 G. 4. c. xcvii. -	An Act to continue the Term and Powers of Three several Acts for repairing and widening the Road from the Swan Inn at Leatherhead to the May Pole at the Upper End of Spital or Somerset Street in the Parish of Stoke, near the Town of Guldeford, in the County of Surrey.
4 G. 4. c. xlvii. -	*So much of* an Act for repairing and improving divers Roads in the Counties of Stafford and Salop, comprised in Three Districts, called the Eccleshall, Newport, and Watling Street District, the Newcastle and Eccleshall District, and the Hilton and Honnington District, *as relates to the Eccleshall, Newport, and Watling Street District, and the Hilton and Honnington District.*
4 G. 4. c. cviii. -	An Act for more effectually repairing the Road leading from Beaconsfield in the County of Buckingham to Stoken Church in the County of Oxford.
4 G. 4. c. cxx. - -	*So much of* an Act for repairing the Roads from Oxdown Gate in Popham Lane to the City of Winchester, and from the said City, through Hursley, to Chandler's Ford, and from Hursley aforesaid to the Turnpike Road at Romsey, and from the Hundred at Romsey, through Chilworth, to the River at Swathling in the County of Southampton, and from the said Turnpike Road at Romsey, through Ringwood in the said County, to Longham Bridge and Wimborne Minster in the County of Dorset, *as relates to the Ringwood, Longham, and Leigh District.*
5 G. 4. c. xvi. -	An Act for making and maintaining a Turnpike Road from Marehill in the Parish of Pulborough, through Shipley, to the Direction Post on the Turnpike Road leading from Horsham to Steyning at Southwater in the Parish of Horsham, with several Branches therefrom, all in the County of Sussex.
6 G. 4. c. xci. -	An Act for more effectually repairing and improving several Roads leading from Tavistock to New Bridge, and other Roads therein mentioned, all in the County of Devon; and for making Diversions to communicate therewith.
7 G. 4. c. xxiv. -	*So much of* an Act for more effectually repairing the Roads from Littlegate at the Top of Leadenham Hill in the County of Lincoln to Newark-upon-Trent, and from Newark-upon-Trent to Mansfield, and from Southwell to the South End of the Town of Oxton in the County of Nottingham, *as relates to the Western District.*

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
7 G. 4. c. cxxvi. -	An Act for more effectually repairing the Road from Whitecross in the Parish of Leven in Holderness in the East Riding of the County of York to the Town of Beverley in the said County.
7 G. 4. c. cxxxv. -	An Act for more effectually repairing the Road leading from the Willersley Turnpike Road near Parton to Monkland Mill, and other Roads therein mentioned, in the Counties of Hereford and Worcester.
7 & 8 G. 4. c. viii. -	An Act for more effectually repairing, widening, and improving the Road from Cosham in the County of Southampton to the City of Chichester.
7 & 8 G. 4. c. xv. -	An Act for more effectually repairing and improving the Roads from the Buck's Head at Watling Street to Beckbury and the New Inn, and from the Birches Brook to the Hand Post in the Parish of Kemberton; and for making a new Branch of Road from a Place called Ball's Hill in the Parish of Dawley, adjoining or near to the said Roads, to or near to a Place called Lawley in the Parish of Wellington, all in the County of Salop.
7 & 8 G. 4. c. lx. -	An Act for continuing the Term and altering and enlarging the Powers of several Acts for repairing the Roads from the Stone Pillar on Alconbury Hill to Wansford Bridge, and from Norman Cross to Peterborough Bridge, all in the County of Huntingdon.
10 G. 4. c. xxiv. -	An Act for more effectually repairing, improving, and keeping in repair the Road from Maidstone to Key Street in the Parishes of Borden and Bobbing in the County of Kent.
10 G. 4. c. lxxvi. -	An Act for repairing certain Turnpike Roads leading to and from Bilston in the County of Stafford.
11 G. 4. c. lxxxiii. -	An Act for more effectually repairing and maintaining the Road between Hockliffe in the County of Bedford and Stony Stratford in the County of Buckingham.
1 W. 4. c. lx. -	An Act for maintaining the Road from Enfield Chase in the County of Middlesex to Lemsford Mill in the County of Hertford.
1 & 2 W. 4. c. lxiv.	An Act for the more effectually repairing and otherwise improving the Road from Sunderland near the Sea in the County of Durham to the City of Durham.
2 W. 4. c. liii. -	An Act for more effectually repairing the Road from Little Yarmouth to Blythburgh, and from Brampton to Halesworth, in the County of Suffolk.
2 W. 4. c. lxxii. -	An Act for repairing and improving the Road from Ternhill to Newport in the County of Salop.

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
3 W. 4. c. lxxxii. -	An Act for repairing the Road from Offham to Ditchelling in the County of Sussex.
5 W. 4. c. xxiv. -	An Act for making and maintaining a Turnpike Road from the Town of Hurstperpoint to the Brighton and Cuckfield Turnpike Road at or near Anstey Cross in the Parish of Cuckfield, all in the County of Sussex.
5 W. 4. c. xxviii. -	*So much of* an Act for making Turnpike certain Highways between the Towns of Nantwich and Congleton in the County Palatine of Chester *as relates to the Middlewich and Congleton District.*
15 Vict. c. xcvii. -	An Act for more effectually repairing the Road from the Town of Beaconsfield to the River Colne, all in the County of Buckingham.

THIRD SCHEDULE.

Acts which are to continue until the 1st of November 1868, and no longer, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
55 G. 3. c. li. -	An Act for amending the Road from Keighley to Bradford, and for making and maintaining a Branch therefrom, all in the West Riding of the County of York.
57 G. 3. c. xxvii. -	An Act for more effectually improving the Road from Richmond in the County of York to Lancaster in the County of Lancaster, and the Road from Richmond to Lucy Cross, and from Gilling to the Turnpike Road on Gatherley Moor in the County of York.
1 G. 4. c. lxix. -	An Act for repairing and improving several Roads leading into and from Devizes in the County of Wilts.
3 G. 4. c. lxxxviii. -	An Act for more effectually repairing and improving the Road from a Place called the Old Gallows in the Parish of Sonning, otherwise Sunning, in the County of Berks, through Wokingham, New Bracknowl, and Sunninghill, to Virginia Water, in the Parish of Egham in the County of Surrey.
7 G. 4. c. cxxxi. -	An Act for more effectually repairing the Road from Sudbury in the County of Suffolk to Bury St. Edmunds in the said County.
1 & 2 W. 4. c. lxiii. -	An Act for more effectually repairing the Road from Aylesbury in the County of Buckingham to Hockliffe in the County of Bedford.

Turnpike Acts Continuance, &c.

Date of Act.	Title of Act.
2 W. 4. c. lxxvi. -	An Act for repairing, maintaining, and improving the Road from Stevenage in the County of Hertford to Biggleswade in the County of Bedford, and a Branch therefrom to Arlsey in the said County of Bedford.
4 W. 4. c. x. - -	An Act for more effectually repairing and maintaining the Road from Crouch Hill in the Parish of Henfield to Ubley's Corner in the Parish of Albourne, and from the King's Head Inn in Albourne, through the Town of Hurstperpoint, to the Cross Roads in the Town of Ditcheling, and also for making and maintaining a Branch of Road from the Town of Hurstperpoint to Poynings Common, all in the County of Sussex.
5 W. 4. c. xxii. -	An Act for improving certain Roads within the County of Hereford communicating with the City of Hereford.
6 W. 4. c. xlvi. -	An Act for making and maintaining as Turnpike a Road leading from the Flimwell to Hastings Turnpike Road at or near Beauport in the Parish of Hollington to Hastings in the County of Sussex.

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Court of Probate Fees Account.

2. With respect to the Court of Probate,—there shall be annually prepared, under the Direction of the Commissioners of Her Majesty's Treasury, an Account for the Year ending the Thirty-first Day of *March*, showing—

1. The Amount received in respect of Fees under the Act described in the Second Schedule to this Act:
2. The Payments for the Salaries of the Registrars, District Registrars, Clerks, and others holding Offices in the Court of Probate, either in *London* or in the Country Districts, and for the incidental Expenses relating to those Offices, and for Superannuations, Pensions, and Retiring Allowances of Officers, and Compensations under the same Act.

Court of Admiralty Fees Account.

3. With respect to the High Court of Admiralty,—there shall be annually prepared, under the Direction of the Commissioners of Her Majesty's Treasury, an Account for the Year ending the Thirty-first Day of *March*, showing—

1. The Amount received in respect of Fees under the Acts described in the Third Schedule to this Act:
2. The Payments for the Salaries of the Officers of the Court and for Pensions, Compensations, and other Charges and Payments in respect of the Court payable out of Money provided by Parliament.

Office of Land Registry Fees Account.

4. With respect to the Office of Land Registry,—there shall be annually prepared, under the Direction of the Commissioners of Her Majesty's Treasury, an Account for the Year ending the Thirty-first Day of *March*, showing—

1. The Amount received in respect of Fees under the Act described in the Fourth Schedule to this Act:
2. The Payments for Salaries, Retiring Pensions, Superannuation Allowances, and other Charges payable under that Act out of Money provided by Parliament.

Accounts to show Surplus and Deficit, and Comparison for Two Years.

5. Each of the Four Accounts aforesaid shall show the Deficit or Surplus of Receipts as compared with Expenditure, and the Second of the several yearly Accounts and every subsequent Account shall show the Items for Two consecutive Years, and the Increase or Decrease of any Item in the Second of those Years as compared with the First.

Accounts to be laid before Houses of Parliament.

6. Every Account prepared under this Act shall be laid before both Houses of Parliament within One Month after the Thirty-first Day of *March* in each Year if Parliament is then sitting, or if not, then within One Month after the next meeting of Parliament.

7. This

First Year of Account.

7. This Act shall be deemed to have been in force with respect to the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-seven, and accordingly the Four several Accounts aforesaid shall be prepared for that Year.

Provision for Deficit on Accounts.

8. If in any Year there is a Deficit on any of the Four Accounts aforesaid, the Amount of such Deficit shall be debited to the same Account in the next following Year; provided that no such Deficit shall be debited to any Account unless and until there has been in some Year a Surplus on the same Account, and after there has been such a Surplus the Deficit (if any) of every subsequent Year shall be so debited, but not that of any Year previous to that in which there first was a Surplus.

If Surplus on any of the Four Accounts, Treasury to issue Amount out of Consolidated Fund, to be applied in discharging Annuity payable under Sect. 9. of 28 & 29 Vict. c. 48. and Sect. 2. of 29 & 30 Vict. c. 63.

9. If in any Year there is a Surplus on any of the Four Accounts aforesaid (any Deficit having been first duly debited as aforesaid to that Account), the Commissioners of Her Majesty's Treasury shall issue the Amount of such Surplus out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, to Her Majesty's Paymaster General, to be carried to the Credit of an Account to be opened in his Books, to be called The Courts of Justice Advances Redemption Account; and the Amount standing to the Credit of that Account, or any Part thereof, may be from Time to Time invested and accumulated under the Direction of the Lord Chancellor and the Commissioners of Her Majesty's Treasury, and the same and the Accumulations thereof shall be applied, at such Periods and in such Manner as the Lord Chancellor and the Commissioners of Her Majesty's Treasury from Time to Time determine, towards discharging the Redemption Annuity to become payable under Section Nine of The Courts of Justice Building Act, 1865, and Section Two of The Courts of Justice Act, 1866.

There shall be annually prepared, under the Direction of the Commissioners of Her Majesty's Treasury, and laid before both Houses of Parliament, a Statement of the Receipts, Investments, and Expenditure on the last-mentioned Account.

Power to Treasury to prepare amended Tables of Fees.

10. The Commissioners of Her Majesty's Treasury shall have Power from Time to Time to prepare amended Tables of Fees and Payments required by this Act to be credited to any of the Four Accounts aforesaid, and to lay them for Approval before the Persons now respectively empowered to add to, reduce, alter, or amend the same, and any Alteration in the Amount of such Fees or Payments shall be subject to the Approval of the said Commissioners.

Provision for Payment of Money received in

11. If at any Time Provision is made by Parliament for Payment into the Receipt of Her Majesty's Exchequer of Money received in

respect of Fees in Court of Bankruptcy, or in any Court prescribed by 28 & 29 Vict. c. 49.

in respect of Fees in the Court of Bankruptcy, or in any Court or Office prescribed under Section Three of The Courts of Justice Concentration (Site) Act, 1865, the Provisions of this Act shall extend and apply, *mutatis mutandis*, to the Court of Bankruptcy, or to such other Court or Office, as the Case requires.

As to Salaries of Judges' Marshals.

12. Section Seven of the Act described in the Fifth Schedule to this Act shall be read and have Effect as if the Words "to the Marshal of the Senior Judge" were omitted therefrom.

Short Title.

13. This Act may be cited as The Courts of Law Fees Act, 1867.

SCHE-

SCHEDULES.

The FIRST SCHEDULE.

Office of Comptroller of Seals, Queen's Bench and Common Pleas.
Office of Custos Brevium, Common Pleas.
Office of Hereditary Chief Proclamator and Chief Usher, Exchequer.

The SECOND SCHEDULE.

20 & 21 Vict. c. 77.—An Act to amend the Law relating to Probates and Letters of Administration in England.

The THIRD SCHEDULE.

3 & 4 Vict. c. 66.—An Act to make Provision for the Judge, Registrar, and Marshal of the High Court of Admiralty of England.

17 & 18 Vict. c. 78.—An Act to appoint Persons to administer Oaths, and to substitute Stamps in lieu of Fees, and for other Purposes, in the High Court of Admiralty of England.

The FOURTH SCHEDULE.

25 & 26 Vict. c. 53.—An Act to facilitate the Proof of Title to, and the Conveyance of, Real Estates.

The FIFTH SCHEDULE.

15 & 16 Vict. c. 73.—An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges' Clerks by Salaries, and to abolish certain Offices in those Courts.

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VICTORIÆ REGINÆ.

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CAP. CXXIII.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Exeter*, *Devonport*, *Reading*, *Warley*, and *Midgley*, and for other Purposes relative to certain Districts under the said Act.

[20th *August* 1867.]

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and the several Purposes herein-after set forth should be authorized and enacted:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Confirmation of Provisional Orders in Schedule contained.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as they are authorized by the Local Government Act, 1858, and the Acts incorporated therewith, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Compensation to Officers under Exeter Local Improvement Act who may be removed, &c.

2. Every Treasurer, Clerk, Surveyor, and other Officer acting under the *Exeter* Local Improvement Act, Two and Three *William* the Fourth, Chapter One hundred and six, recited in the Provisional Order for the City and Borough and the County of the City of *Exeter* in the Schedule to this Act contained, Parts of which Local Act are repealed by the said Order, whose Office shall, by reason of the Transfer of the Powers of the Commissioners under that Local Act to the Local Board, be no longer tenable by him or shall be wholly or in part superseded and rendered unnecessary, or who shall at any Time within the Space of Three Years next after the passing of this Act, except for Misconduct, be removed wholly or in part from such Office, and not be employed and retained in an Office of equal Value, by the Local Board for the said City and Borough and County of the City of *Exeter*, shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the Office which he shall cease to hold; the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board, to be made within Three Months after any such Person shall have been superseded in his Office, founded upon a Declaration made by such Person setting forth the Salary, Profits, and Emoluments derived by him and his Predecessors for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office, and his Term therein; and the said Local Board shall from Time to Time pay to the Person so entitled to Compensation, out of any General District Rates, the Money which shall upon such Report, and any Appeal or Reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Compensation to Officers under Devonport Local Act who may be removed.

3. If any Officer to the Commissioners acting in execution of the *Devonport* Local Act referred to in the *Devonport* Provisional Order in the Schedule to this Act contained shall, by reason of such Order, be superseded, or if his present Remuneration shall be affected, or if he

he shall be removed from his Office, and not be employed and retained in an Office of equal Value, by the *Devonport* Local Board, he shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the said Office, the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board to be made within Three Months after any such Person shall have been superseded in his Office or his Remuneration affected, founded upon a Declaration made by such Person setting forth the Salary, Profits, and Emoluments derived by him for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office and his Term therein, and the said Local Board shall from Time to Time pay to the Person entitled to Compensation, out of General District Rates, the Money which shall upon such Report and any Appeal or Reclamation against the same be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Nothing to authorize Reading Local Board of Health to take any Portion of a Vault known as "Knollys Aisle."

4. Nothing in the Provisional Order in the Schedule to this Act contained putting in force the Lands Clauses Consolidation Act, 1845, within the *Reading* Local Board of Health District, shall authorize such Local Board to take or hold for the Purposes of this Act any Portion now appropriated as a Vault of the Building known as "*Knollys Aisle*" which shall be lower than the lowest Part of the Surface of the Road or Highway called the *Forbury Road* adjoining thereto.

The Owners of such Aisle shall be at liberty to remove any Coffin or Coffins now in such Vault, and the Contents of the same, to any other Place of Interment.

The said Board after they shall have acquired the other Part of the said Aisle under the Provisions of the Lands Clauses Consolidation Act, 1845, shall construct an Arch of Stone or Brickwork over the said Vault in such Manner that the Surface of such Arch when completed shall be level with the Surface of the Ground on either Side thereof, and properly cement such Arch, and at all Times thereafter keep the same Arch in good Repair; and the Area above such Arch shall thereafter form Part of the said Highway called the *Forbury Road*, and the Vault below such Arch shall not whilst any Coffin or Coffins remain therein be filled in or disturbed for any Purpose whatsoever, except so far as may be necessary for properly constructing such Arch or repairing the same.

If

If it shall be found that the said Vault when arched over in manner aforesaid will not be high enough to contain the Coffins now therein, a new Vault shall be provided at the Cost of the Board in the public Cemetery at *Reading* immediately adjoining the new Vault therein belonging to *John Weldale Knollys*, or as near thereto as Circumstances will permit.

Payment of annual Sum to Local Board for Warley by Part separated from the District.

5. From and after the Inclusion in a District under the Local Government Act of that Part of the *Warley* District which is separated therefrom by the *Warley* Provisional Order by this Act confirmed, which Part is herein-after referred to as the separated Part, the Local Board for the District which includes the separated Part shall pay to the *Warley* Local Board an annual Sum of One hundred and forty Pounds (£140), such Sum to be raised by a General District Rate in the separated Part only, and such annual Payment to be continued to the *Warley* Local Board until such Time as the rateable Value of Property in the *Warley* District (as altered by the Provisional Order herein-before referred to) shall reach Fourteen thousand Pounds (£14,000).

Provided always, that unless the separated Part shall come within the Operation of the Local Government Act, 1858, within Twelve Months from the Date of the passing of this Act, then the separated Part shall again become Part of the *Warley* District as before the Date of this Act, and shall be included in the said District, without any Incorporation therewith such as is prescribed by the Seventy-seventh Section of the said Local Government Act.

Act incorporated with 21 & 22 Vict. c. 98.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867, (No. 6.)"

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. EXETER.—Altering a Local Act.
2. DEVONPORT.—Altering Parts of a Local Act in force within the District.
3. READING.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Reading Local Board of Health District, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement, for Purposes of Street Improvements.
4. WARLEY.—Separating Portion of District of Local Board.
5. MIDGLEY.—Altering Boundaries of District of Local Board.

EXETER.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Exeter Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the City and Borough and County of the City of Exeter, acting as the Local Board in and for the City aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within their District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the second and third years of the reign of His late Majesty King William the Fourth (cap. 106.), intituled "An Act for "better paving, lighting, watching, cleansing, and otherwise improving the "City of Exeter and County of the said City:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose; and report has been made by him to me therein, and I have taken the same into consideration:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said herein-before recited Local Act passed in the second and third years of the reign of King William the Fourth (cap. 106), specified in the Schedule hereunto annexed, shall be repealed, altered, or extended as is therein described.

2.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the said Local Act shall cease and determine; and such of the said powers, authorities, and duties as are granted or imposed by such parts of the said Local Act as shall not be repealed, and so far as the same are not repugnant to or inconsistent with the said Local Government Act, shall be transferred to and be had and exercised by the said Mayor, Aldermen, and Burgesses, as the Local Board under the said Local Government Act, 1858, and by such of the committees, officers, and servants of the said Local Board as shall be appointed by the said Board in that behalf under the said Local Government Act, and shall be had and exercised in the same manner, as nearly as may be, as if such powers, authorities, privileges, and duties had been granted or imposed by the said Local Government Act; and that the said Local Board shall be the Commissioners for executing such parts of the said Local Act as shall not be repealed; and that all lands, buildings, works, rates, arrears, tolls, duties, and hereditaments, utensils, materials, books, plans, maps, deeds, effects, contracts, papers, monies, and securities for money, and all other property whatsoever, belonging to or vested in the Commissioners acting in execution of the said Local Act, shall be transferred to, vested in, belong to, and be recoverable by the said Local Board as fully as the same would or could have belonged to, been vested in, or recoverable by such Commissioners, and, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same uses, intents, and purposes, as the same were or would be held by such Commissioners.

3.—All bonds, mortgages, annuities, contracts, debts, monies, and securities for money made, given, contracted, or payable by such Commissioners shall be paid and satisfied by the said Local Board out of such transferred property as would or ought to have been charged or chargeable in respect of the same if such transfer had not been made, and shall, as near as circumstances will permit, have the same priority, and be paid and satisfied within the same time, and be recovered from the said Local Board as the same might have been recovered from the said Commissioners.

4.—If such property be insufficient for that purpose the deficiency shall be charged upon and paid and satisfied by the said Local Board out of the rates leviable under the said Local Government Act, 1858.

5.—If such property be more than sufficient the surplus shall be applied, as nearly as may be, to the same purposes to which the same would

or ought to have been applied if the said Local Government Act had not been adopted as aforesaid.

6.—All charges and expenses which shall be incurred by the said Local Board under such parts of the said Local Act as shall not be repealed shall be deemed to be expenses incurred by such Board under the said Local Government Act, and shall be defrayed out of the General District Rate (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be borrowed, charged, received, and recovered in the same manner as if such charges and expenses were actually incurred under the said Local Government Act, 1858.

7.—All proceedings, contracts, matters, and things respectively begun or made, or penalties incurred, under any section of the said Local Act which may be hereafter repealed, may respectively be proceeded with and enforced as if no such repeal had taken place; and all powers exercised or byelaws made under any such section shall continue in force until the new powers and byelaws authorized by the said Local Government Act are brought into operation; and that no such repeal shall affect any decree or order of the High Court of Chancery, or of any other Court of Justice, that has heretofore been obtained or shall have been obtained before such repeal.

The sections of the herein-before recited Local Act to be altered and amended are:—

Section No. 111, in which the words "not exceeding ten acres in the whole" shall in future be omitted from such section, and such section shall be read accordingly.

Section No. 112. After the words "And be it further enacted, that it shall be lawful for the said Commissioners and they are hereby empowered to collect and receive any sum," the four words following, "not exceeding ten shillings," shall be taken to be omitted from such section; and these words, "or sums to be fixed by a scale to be determined by the Local Board of the city and county of Exeter," shall be taken to be inserted in lieu thereof, and such section shall be read accordingly.

Section No. 197. shall be repealed, and instead thereof the following section shall be inserted, and shall be confirmed and be taken to form a part of such Act accordingly, as if such ensuing section were substituted for the 197th section of such Local Act so repealed:—

"The boundary of the Precinct of the Close within the meaning of the present Exeter Provisional Order shall be as follows:

"The existing boundary from the site of Bear Gate eastward, and by the City Wall and Egypt Lane, to and including St. Catherine's Almshouses; thence, excluding the houses fronting in Catherine Street, but including St. Martin's Church, to the site of St. Martin's Gate, thence along the western side of the Cathedral Yard, including the carriageway but excluding the footway to the site of Broad Gate, thence by the existing boundary, including the College but excluding the houses fronting in South Street and Bear Street, to the site of Bear Gate; the district comprised within the said boundary to be called the 'Close Proper' (defined on a plan deposited in the Local Government Act Office, London).

"Within the Close Proper the Dean and Chapter shall light the same with not less than twelve sufficient lamps, and shall maintain the paving, flagging, roads, and pathways, and procure to be removed all dirt, ashes, and refuse of every kind; and the rating powers of the Local Government Act shall not apply to the Close Proper, except as next herein-after mentioned; that is to say,

"Provided, that if the General District Rates imposed under the provisions of the Local Government Act shall at any time in any year exceed the rate of one shilling and fourpence in the pound, being the present amount of the Improvement and Lamp Rate for the district of Exeter, then and so often as the same shall occur the Close Proper shall be subject to a rate equal to the excess of such General District Rate over and above the said sum of one shilling and fourpence in the pound in any year:

"Provided also, that for all purposes of the Local Government Act, 1858, the existing sewers within the 'Close Proper' shall be vested in and repaired by the Local Board, reserving nevertheless to the Dean and Chapter the right to communicate with and to use the said sewers, and all other sewers which may hereafter be constructed within the Close Proper, for all necessary purposes; and further, that no new main sewers shall be formed within the Close Proper without the consent in writing of the Dean and Chapter; or if such consent be withheld, or in case of any differences arising on this subject between the Dean and Chapter and the Local Board aforesaid, the same shall be referred to and determined by one of Her Majesty's Principal Secretaries of State acting under the authority and by virtue of the Local Government Act, 1858:

"Provided also, that all powers, authorities, and regulations in reference to police and sanitary purposes, and such only, except as herein specially provided, contained in the Local Government Act, 1858, and in the unrepealed portions of the Exeter Improvement Act, shall apply to the 'Close Proper;' and that no fly stand, urinal, or other building or erection of any kind shall be authorized, placed, or erected within the Close Proper without the consent in writing of the Dean and Chapter."

Given under my hand this Nineteenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE to which this Order refers.

The parts of the Local Act, 2 & 3 Will. 4. (cap. 106), herein-before referred to in this Order to be repealed, &c., are as follows; that is to say,

The sections of the said Local Act to be repealed as herein-before described are those numbered respectively in the copies thereof printed by the King's Printers 2 to 40, both inclusive; 42, 43, 47; 52 to 58, both inclusive; 61 to 68, both inclusive; 70, 71, 73, 74, 76, 82, 83, 84, 85; 88 to 95, both inclusive; 108, 109, 117, 120, 121, 122, 124, 125, 126; 136 to 147, both inclusive; 149 to 153, both inclusive; 156, 159 to 174, both inclusive; 189 to 193, both inclusive, and 195.

DEVONPORT.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Devonport Local Board.

WHEREAS the Local Government Act, 1858, has been duly adopted by a resolution of the council of the borough of Devonport, and by reason of such adoption the said Act, except as herein-after mentioned, now has the force of law within the said borough, and the mayor, aldermen, and burgesses acting by the council of the borough have become the Local Board for the District of such borough:

And whereas by an Act passed in the 54th year of the reign of His Majesty George the Third, c. 172., intituled "An Act to repeal an Act passed "in the twenty-first year of His present Majesty for better maintaining and "regulating the poor within the town of Plymouth Dock and parish of Stoke "Damerel in the county of Devon, and for other purposes, and granting further "powers in lieu thereof for lighting, watching, and otherwise improving "the said town and parish, and regulating porters and watermen therein," certain provisions were made and certain powers were conferred upon Commissioners thereby appointed for the paving and cleansing of the streets, lanes, and passages within the said town and parish, and removing and preventing encroachments, nuisances, and annoyances therein, and for divers other purposes having relation to many of the purposes provided for by the Local Government Act, 1858; and such Act of 54 Geo. 3. c. 172. is herein-after styled "the Local Act:"

And whereas the said Local Act applies to and is in force within the same District as that which now constitutes the District of the borough of Devonport, and does not confer powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and it is expedient that provision should be made for the future execution of the Local Act within the District aforesaid, and that such Act should be altered in the manner herein-after set forth:

And whereas the Local Board aforesaid have under the provisions of the Local Government Act, 1858, presented a Petition to me as one of Her Majesty's Principal Secretaries of State, praying that provision should be made for the future execution by the Local Board of the provisions of the Local Act aforesaid (except so far as the same relates to relieving, maintaining, and regulating the poor of the parish of Stoke Damerel now vested in the Commissioners acting under the said Act), and for the transfer to the Local Board of certain of the powers and duties conferred and imposed by such Local Act upon the Commissioners in manner herein-after set forth; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

1.—That from and after the date of the confirmation of this Order all the enactments and provisions of the Local Act aforesaid (54 Geo. 3. c. 172.) which can now be executed by the Commissioners (except such as refer to or in anywise concern or affect the relief, maintenance, and regulation of the poor of the parish of Stoke Damerel) shall be carried into execution by the Local Board in place of the Commissioners, and that for this purpose all the powers, rights, duties, and authorities conferred or imposed on the Commissioners by the Local Act (except as aforesaid) shall be transferred to and thenceforth be vested in and executed by the Local Board as fully and completely as by the Commissioners.

2.—That from and after such date as aforesaid all the provisions, powers, and authorities made or conferred by the Local Government Act, 1858, which in anywise relate to the same or similar purposes as those included in the Local Act shall, except so far as the same may be in anywise repugnant to or inconsistent with the provisions of the Local Act, come into operation within the district of and be exercised by the Local Board conjointly with and in addition to the provisions, powers, and authorities of the Local Act.

3.—That from and after such date as aforesaid all monies, securities for monies, rights of action, contracts, property, estate, and effects whatsoever and wheresoever, and whether in possession or in action, now belonging to the Commissioners (excepting such as may belong to and be vested in them for the purposes of the relief, maintenance, and regulation of the poor), together with all the right, title, and interest of the Commissioners in or to the same, shall be transferred to and vested in the Local Board, and shall be held and employed by them for the purposes of the Local Act and the future execution thereof, without any transfer, assignment, or conveyance thereof from the Commissioners to or in trust for the Local Board.

4.—That from and after such date as aforesaid all arrears of rates made and levied by the Commissioners acting in pursuance of the Local Act shall be due and payable to the Local Board in place of the Commissioners, and the Local Board shall have all the powers and remedies for recovering and enforcing payment of any such arrears in their name and on their account, and by their officers, as the Commissioners would have had if this Order had not been made and confirmed; and all outstanding claims, debts, and demands to which the Commissioners shall be liable (except such as relate to the relief, maintenance, and regulation of the poor) shall be transferred from them and shall be chargeable to the Local Board, and shall be discharged and liquidated by such Board as soon as practicable after the date aforesaid.

5.—That from and after such date as aforesaid the principal and interest of all monies borrowed at interest by the Commissioners acting in pursuance of the Local Act and then outstanding, and all annuities granted by the Commissioners acting under the Local Act, or charged by the Local Act upon the rate to be levied and received in pursuance of the same, so far as the same respectively are now legally due and payable,

payable, shall become and be a charge upon the rates hereafter to be levied and received by the Local Board in pursuance of the Local Act and of this Order, in like manner as they would have been a charge upon the rates to be levied and received by the Commissioners under the Local Act if this Order had not been made and confirmed.

6. That all other the debts and liabilities (if any) which may have been legally incurred by the Commissioners acting in pursuance of the purposes of the said Local Act (other than purposes relating to the relief, maintenance and regulation of the poor) shall be satisfied and discharged by the Local Board out of the monies (if any) transferred from the Commissioners to the Local Board by virtue of this Order, or coming to the hands of the Local Board on account of any such arrears of rates as aforesaid, or of the monies to be received by the Local Board on account of the rate to be first made and levied by them under the provisions of the Local Act and this Order.

7. That from and after the date of the confirmation of this Order it shall be lawful for the Local Board, notwithstanding anything contained in the 84th section of an Act passed in the sixth year of the reign of His Majesty William the Fourth, cap. 76., entitled "An Act to provide "for the regulation of Municipal Corporations in England and "Wales," or in any other Act amending, explaining, or extending the same, to raise and levy by rates and assessments made in such manner and to such amount as by the Local Act is authorized such sum or sums of money as the Local Board shall from time to time judge necessary and sufficient for defraying the expenses of carrying into effect such of the purposes and provisions of the Local Act as the Local Board shall by this Order, confirmed as aforesaid, be authorized to execute.

8.—That from and after such date as aforesaid it shall be lawful for the Local Board at any time hereafter, if they shall see fit, to pay off and discharge either wholly or partially all or any of the principal sums of money so borrowed at interest by the Commissioners as aforesaid, and to redeem and purchase from the grantees, or from their assignees or other holders thereof, all or any of the annuities charged by the Local Act upon the rates to be levied by the Commissioners in pursuance of the same, by the payment to such grantees or assigns of such sum or sums of money as may be agreed upon by and between the Local Board and such grantees, assignees, or other persons entitled thereto for the redemption or purchase of such annuities, and upon such respective repayment, redemption, or purchase as aforesaid all assignments and securities made and executed for the purpose of securing any such principal sum so wholly or partially paid off and discharged, or any annuity so redeemed or purchased as aforesaid, shall either wholly or to the extent of any such partial repayment, as the case may require, cease, determine, and become void and of no effect: Provided always, that every dispute or question which may arise as to the amount of principal monies to be paid by the Local Board on any such repayment, purchase, or redemption shall be referred to an actuary, to be appointed, in case of difference, by the Board of Trade, whose decision shall be final: Provided always, that before the repayment

repayment of any such principal sum or the redemption of any such annuity as aforesaid four months notice in writing shall be given by the Local Board to the lender or the person for the time being entitled to payment of any such principal sum, or to the grantee or assignee or other person entitled to such annuity, of the intention of the Local Board to pay off such principal sum or to redeem such annuity as aforesaid, unless such notice be waived by the lender or party entitled as aforesaid, such notice to be forwarded by post in a registered letter addressed to the usual or last known place of abode of such lender or party entitled as aforesaid: Provided nevertheless, that if the usual or last known place of abode of the lender or party entitled as aforesaid cannot be ascertained, or the lender or party entitled as aforesaid shall be under disability, it shall be lawful for the Local Board, after notice to be published for three consecutive weeks in the London Gazette and one local newspaper, to pay the principal sum or sums into the Court of Chancery under the provisions of the Trustee Relief Acts.

9.—That for the purpose of paying off such principal sums or the redemption or purchase of such annuities as aforesaid the Local Board may borrow or take up any such sum or sums of money as they may think proper, and charge the same and the interest thereof upon the rates and assessments to be levied and received by the Local Board under and by virtue of the Local Act, and may execute assignments of all or any part of such rates and assessments for the purpose of securing any such sum or sums in the same form (mutatis mutandis) as the assignments authorized by the Local Act to be made and executed for the purpose of securing the sums of money thereunder borrowed, and the payment of the annual interest of any such sum or sums of money so borrowed, for the purpose of such repayment or redemption as aforesaid, shall henceforth be deemed to be one of the purposes of the Local Act for which the Local Board are hereby empowered to make and levy rates and assessments as aforesaid.

10.—That it shall be lawful for the Local Board, in case they shall deem it more expedient, instead of borrowing money for the repayment of such principal money or the redemption of such annuities as aforesaid, to set apart in every year, out of the rates and assessments to be made and levied by them under and by virtue of the Local Act, as a sinking fund, and accumulate in the way of compound interest, by investing the same in the purchase of Exchequer Bills or other securities, such sum as will be sufficient to pay off the amount of the principal sums or annuities so intended to be repaid or redeemed at such times as the Local Board may determine; but nothing herein contained shall make it compulsory and incumbent upon the Local Board to repay or redeem any such principal sums or annuities, or to set aside any such sinking fund as aforesaid, unless they shall deem it expedient so to do.

Given under my hand this Twenty-eighth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

READING.

READING.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Reading Local Board of Health District, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement, for Street and Road Improvements.

WHEREAS the Local Board of Health in and for the District of the Borough of Reading in the County of Berks have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land, buildings, and premises, for the purpose of certain street and road improvements within that District:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land, &c. (as shown on the plan accompanying the same) intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, &c. who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, &c., be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported to me thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of Health for the said District of Reading shall be empowered to put in force, with reference to the lands, buildings, and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twentieth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

The SCHEDULE referred to in the foregoing Order.

THE LANDS, BUILDINGS, and PREMISES proposed to be taken for the Purposes set forth in the preceding Order, and situate in the District of Reading, are the following, the Figures in the First Column referring to those on the Plan mentioned in the Petition of the aforesaid Local Board and in the foregoing Order.

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
6	Dwelling House, commonly known as St. Lawrence's Vicarage, situate in Friar Street and Vastern Street, Reading, with the Garden, Stable, Coach House, Yard, Buildings, Lands, and Appurtenances belonging thereto or held therewith.	The Lord Bishop of Oxford; the Rev. Lewin George Maine, No. 4, Eldon Road, Reading; and John Blagrave, Esq.; and Cecil Monro, Esq.	- - -	The Rev. Lewin George Maine.
7	Dwelling House, Shop, Bakehouse, Shed, Yard, and Buildings, with the Appurtenances, commonly known as No. 3, Friar Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	The Representatives of the late Mr. William Fardon, Bedford Place, Reading.	Cornelius Vincent Carr.
8	Dwelling House, Shop, Workships, Land, and Buildings, with the Appurtenances, commonly known as No. 4, Friar Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	Robert Fleming, No. 4, Friar Street, Reading; and William Fleming, No. 3, Abbot's Walk, Reading.	Robert Fleming and William Fleming.
9	Dwelling House, commonly known as No. 5, Friar Street, Reading, called "The Wheatsheaf," with the Land, Buildings, and Appurtenances belonging thereto.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling, Innkeeper, No. 5, Friar Street, Reading.	Joel Gosling.
10	Passage Way leading from Vastern Street, Reading, to the Rear of the Premises known as the Wheatsheaf Inn.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling - -	Joel Gosling.
11	Stables, Coach Houses, Sheds, Yard, Land, and Buildings, situate in Vastern Street, Reading, and in the Rear of the Premises known as the Wheatsheaf Inn.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling and Thomas Rose, No. 9, Forbury, Reading.	Thomas Rose.
13	Yard, with the Stables, Coach Houses, Sheds, and Piggeries standing thereon, situate at the Northern End of the Garden and Buildings at the Rear of the House known as No. 10, Friar Street, Reading, and containing, on the South Side, 76 Feet 6 Inches; on the West Side, 122 Feet; on the North Side, 71 Feet; and on the East Side, 114 Feet or thereabouts.	Robert Lovegrove, Caversham, Reading.	Mary Elizabeth Cocks, Innkeeper. No. 10, Friar Street, Reading.	Mary Elizabeth Cocks.
16	Garden and Land, situate on the East Side of the Road leading from Friar Street to the Stations of the Great Western Railway and South Eastern Railway, Reading.	The Great Western Railway Company, Paddington, London.	- - -	William Flanagan, Great Western Hotel, Reading.
16*a*	Garden and Land, situate on the South Side of the South Eastern Railway Station, Reading, and of the Road leading to such Station.	The South Eastern Railway Company, London Bridge, London.	- - -	John Carter, South Eastern Railway Station, Reading.
16*b*	Dwelling House, Sheds, Garden, Land, and Buildings situate on the West Side of Vastern Street, Reading.	The South Eastern Railway Company.	- - -	John White, Vastern Street, Reading.
16*c*	Land, Roadway, and Embankment, situate on the South Side of the Stations and Line of the South Eastern Railway, and the West Side of Vastern Street.	The South Eastern Railway Company.	- - -	John Carter.

Local Government Supplemental (No. 6).

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
17	Dwelling House, Garden, Land, and Buildings, with the Appurtenances, commonly known as No. 8, Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Eggleton.
18	House, commonly called "The Waggon and Horses," situate on the West Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	William Blandy, Charles Blandy, and Thomas Hawkins, Brewers, Castle Street, Reading.	William Waterer.
19	Office in the Rear of the House, commonly called "The Waggon and Horses," situate in Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley, Vastern Street, Reading.
20	Dwelling House and Buildings, with the Appurtenances, commonly known as No. 6, Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley.
21	Warehouse, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Gregory, Grocer, Market Place, Reading; and Lewis and William Cooper, Wine Merchants, Market Place, Reading.
22	Shed, Yard, and Buildings, with the Appurtenances, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley.
23	Stable, situate at the North End of a Yard lying on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
24	Cart Shed, situate on the South Side of the North End of a Yard lying on the West Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
25	Store Rooms, situate in a Yard lying on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Allsop, Corn Dealer, Caversham Road, Reading; and Thomas Lewis Gould.
26	Store Rooms, situate in a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- -	Thomas Allsop and Thomas Gregory; John Newbery, jun., Pianoforte Maker, 158, Friar Street, Reading; and Charles Martin, Innkeeper, Friar Street, Reading.
27	Stable and Shed, situate in a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	
28	Cart Shed, situate at the South End of a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
29	Yard, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- -	Henry Hadley, Lewis and William Cooper, Thomas Lewis Gould, Thomas Gregory, Charles Martin, Thomas Allsop, and John Newbery.
42	Cottage, Land, and Buildings, with the Appurtenances, situate in the Rear of Bush Court, Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	William Blandy, Esq., and Charles Blandy, Esq.	Thomas Cropp.
45	Land, Garden, and Buildings, situate on the East Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	Ditto - -	Charles Martin.
55	House, commonly called "The Rising Sun," situate on the North Side of the Forbury, Reading, with the Land, Buildings, and Appurtenances belonging thereto.	John Blagrave, Esq., and Cecil Monro, Esq.	Thomas Fox Alexander Byles, Brewer, Henley-on-Thames, Oxon.	Thomas Christie Atto.

Local Government Supplemental (No. 6).

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
56	Land and Enclosure, commonly known as the Borough Pound.	The Mayor, Aldermen, and Burgesses of the Borough of Reading, in the County of Berks.	- - -	The Mayor, Aldermen, and Burgesses of the Borough of Reading.
57	Building and Land, with the Appurtenances, commonly known as the Tramp Ward.	The Mayor, Aldermen, and Burgesses of the Borough of Reading, in the County of Berks.	- - -	The Guardians of the Poor of the Reading Union.
58	Land, situate between Vastern Street, Reading, and the Road leading from the Forbury to the King's Meadow.	The South Eastern Railway Company.	- - -	The South Eastern Railway Company.
59	Land at the Western Corner of the Goods Yard of the South Eastern Railway, at Reading.	The South Eastern Railway Company.	- - -	The South Eastern Railway Company.
60	Land and Building on the South Side of St. Lawrence's Church, Reading, formerly used as a Police Cell.	The Mayor, Aldermen, and Burgesses of the Borough of Reading.	- - -	Unoccupied.
61	A Building and Land, commonly known as Knollys Aisle, on the South Side of St. Lawrence's Church, Reading.	Richard Grove Lowe, Esq., St. Albans; Rupert Clarke, Esq., Reading; Richard Saunders, Esq., Dartford, Kent; and John Weldale Knollys, Esq., Cheltenham.	- - -	John Weldale Knollys.

WARLEY.

Provisional Order for Separation from the District of Warley, in the County of York, of a Portion of the said District, under the Local Government Act, 1858.

WHEREAS a Petition has been presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, from owners and ratepayers of part of the District of Warley aforesaid, praying for the separation from the said District of all such portion of the said District as is described in their Petition and is coloured Yellow in the Plan accompanying the same:

And whereas inquiry has been directed in the said District into the several matters alleged in the said Petition, and Report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the Purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the Powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for Warley, in the County of York, be altered by there being separated therefrom all that portion of the said District which is described in the Schedule to this Order annexed, and that such portion shall be excluded from the operation of the Local Government Act, 1858, accordingly.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Warley Local Board as altered by this Order, and by the votes of Owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eighteenth day of May in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE referred to in the preceding Provisional Order.

The portion of the Warley Local Board District which is described in the preceding Provisional Order as the part to be separated from such District and to be excluded from the operation of the Local Government Act, 1858, in such District, is that shown on the Plan accompanying the Petition herein-before mentioned and coloured Yellow thereon.

The Boundaries of that portion of the District of Warley proposed to be separated therefrom commence at the point A on the Plan herein-before referred to, in the centre of the River Calder, near Boy Bridge, and opposite to the middle of the mouth of the Luddenden Dean Brook, thence northerly along the centre of the said Brook to B, at Lane House Footbridge, thence easterly along the footpath leading from Luddenden Lane to Sheperd's House Lane, and including it, to C, thence along Sheperd's House Lane and Popple Wells Lane, and including them, to D, thence along the east side of Stoney Lane to E on the road between Butt's Green and Newlands, thence across the said road and along the east and north sides of Winterburn Hill Lane to F, thence southerly to G at Pigman's Lane, thence crossing the said lane and along its south side to H at the footpath leading to Holye House, thence along the said footpath, and including it, to I at Water Hill Lane, thence along the said Water Hill Lane, and including it, to Blackwall Lane, thence along the said Blackwall Lane, and including it, to K on the Todmorden Turnpike Road, thence along the south side of the said Turnpike Road to L at Timmey Lane Top, thence across the said Turnpike Road to Timmey Lane, thence along the east side of the said Timmey Lane, and including it, to Gatehead, thence along the north side of the road leading from Gatehead to Hill Top, thence along the east side of the road leading from Hill Top to the Rochdale Canal Bridge, thence crossing the said bridge to M in the centre of the River Calder, on the weir at Hollins Mill, thence westerly along the boundary between the Townships of Warley and Sowerby to the starting point at A, so completing the boundaries.

MIDGLEY.

Provisional Order for altering the Boundaries of the District of Midgley, in the County of York.

WHEREAS a Petition has been duly presented to one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, duly signed by owners of property and ratepayers within certain parts of the District of the Local Board for the District of Midgley, in the parish of Halifax, in the county of York, praying for an alteration of the existing boundary of the said District by separating therefrom the portions set forth and described in such Petition:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for Midgley, in the parish of Halifax, in the county of York, be altered by there being separated therefrom all that portion of such District as is comprised within the boundaries set forth and described in the petition aforesaid, and commencing at the point A shown on the plan accompanying such Petition, in the centre of the River Calder, near to Over or Upper Foot Canal Bridge, and opposite to the overflow of the Rochdale Canal; thence in a north-easterly direction along the Ellen Royd Beck or water-course to the Todmorden and Burnley turnpike road; thence crossing the said turnpike road to the point B; thence along and including the said Todmorden and Burnley turnpike road to the footpath at Over Foot, leading in an easterly direction from the said Todmorden and Burnley turnpike road to a part of the Kershaw House Farm called Top Shuttles, along and including the said foot-path for the whole length from Top Shuttles to Luddenden Lane; thence along the north-west side of the said lane to the point C; thence across the said Luddenden Lane in a south-easterly direction, along the north-east fence of the "Tannery," and in a direct line to the centre of Luddenden Dean Brook; thence along the boundary between the township of Midgley and Warley to the centre of the River Calder; thence north-westerly along the centre of the said river, it being the boundary between the townships of Midgley and Sowerby to the starting point at A.

2.—At

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order the members to be elected shall be elected for the Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

LONDON:
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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and kept on board certain Ships.

suitable for different Ships and Voyages, and shall also prepare or sanction a Book or Books containing Instructions for dispensing the same:

(2.) The Owners of every Ship navigating between the United Kingdom and any Place out of the same shall provide and cause to be kept on board such Ship a Supply of Medicines and Medical Stores in accordance with the Scale appropriate to the said Ship, and also a Copy of the said Book or of One of the said Books containing Instructions:

(3.) No Lime or Lemon Juice shall be deemed fit and proper to be taken on board any such Ship, for the Use of the Crew or Passengers thereof, unless the same has been obtained from a Bonded Warehouse for and to be shipped as Stores; and no Lime or Lemon Juice shall be so obtained or delivered from any Warehouse as aforesaid unless the same is shown, by a Certificate under the Hand of an Inspector appointed by the Board of Trade, to be proper for Use on board Ship, such Certificate to be given upon Inspection of a Sample after Deposit of the said Lime or Lemon Juice in the Warehouse; nor unless the same contains Fifteen *per Centum* of proper and palatable Proof Spirits, to be approved by such Inspector, or by the proper Officer of Customs, and to be added before or immediately after the Inspection thereof; nor unless the same is packed in such Bottles, at such Time and in such Manner, and is labelled in such Manner as the Commissioners of Customs may direct; provided that when any such Lime or Lemon Juice is deposited in any Bonded Warehouse, and has been approved as aforesaid by the said Inspector, the said Spirits, or so much of the said Spirits as is necessary to make up Fifteen *per Centum*, may be added in such Warehouse, without Payment of any Duty thereon; and when any Spirit has been added to any Lime or Lemon Juice, and the same has been labelled as aforesaid, it shall be deposited in the Warehouse for Delivery as Ship's Stores only, upon such Terms and subject to such Regulations of the Commissioners of Customs as are applicable to the Delivery of Ship's Stores from the Warehouse:

(4.) The Master or Owner of every such Foreign-going Ship (except those bound to *European* Ports or to Ports in the *Mediterranean Sea*, and also except such Ships or Classes of Ships bound to Ports on the Eastern Coast of *America* North of the Thirty-fifth Degree of North Latitude, and to any Islands or Places in the *Atlantic Ocean* North of the

the same Limit, as the Board of Trade may from Time to Time exempt from this Enactment,) shall provide and cause to be kept on board such Ship a sufficient Quantity of Lime or Lemon Juice from the Warehouse duly labelled as aforesaid, such Labels to remain intact until Twenty-four Hours at least after such Ship shall have left her Port of Departure on her Foreign Voyage, or a sufficient Quantity of such other Anti-scorbutics, if any, of such Quality, and composed of such Materials, and packed and kept in such Manner, as Her Majesty by Order in Council may from Time to Time direct:

(5.) The Master of every such Ship as last aforesaid shall serve or cause to be served out the Lime or Lemon Juice with Sugar (such Sugar to be in addition to any Sugar required by the Articles) or other such Anti-scorbutics as aforesaid to the Crew so soon as they have been at Sea for Ten Days, and during the Remainder of the Voyage, except during such Time as they are in Harbour and are there supplied with fresh Provisions; the Lime or Lemon Juice and Sugar to be served out daily at the Rate of an Ounce each *per* Day to each Member of the Crew, and to be mixed with a due Proportion of Water before being served out, or the other Anti-scorbutics, if any, at such Times and in such Quantities as Her Majesty by Order in Council may from Time to Time direct:

(6.) If at any Time when such Lime or Lemon Juice or Anti-scorbutics is or are so served out as aforesaid any Seaman or Apprentice refuses or neglects to take the same, such Neglect or Refusal shall be entered in the Official Log Book in the Manner provided by the Two hundred and eighty-first Section of the Principal Act, and shall be signed by the Master and by the Mate or some other of the Crew, and also by the Surgeon or Medical Practitioner on board, if any:

And if in any such Ship as aforesaid such Medicines, Medical Stores, Book of Instructions, Lime or Lemon Juice, Sugar, or Anti-scorbutics as are herein-before required are not provided, packed, and kept on board as herein-before required, the Owner or Master shall be deemed to be in fault, and shall for each Default incur a Penalty not exceeding Twenty Pounds, unless he can prove that the Non-compliance with the above Provisions, or any of them, was not caused through any Inattention, Neglect, or wilful Default on his Part; and if the Lime or Lemon Juice and Sugar or other Anti-scorbutics are not served out in the Case and Manner herein-before directed, or if Entry is not made in the Official Log

Log in the Case and Manner herein-before required, the Master shall be deemed to be in fault, and shall for each Default incur a Penalty not exceeding Five Pounds, unless he can prove that the Non-compliance with the above Provisions, or any of them, did not arise through any Neglect, Omission, or wilful Default on his Part; and if in any Case it is proved that some Person other than the Master or Owner is in default in any Case under this Section, then such other Person shall be liable to a Penalty not exceeding Twenty Pounds.

Penalty for selling, &c. Medicines, &c. of bad Quality.

5. Any Person who manufactures, sells, or keeps or offers for Sale any such Medicines or Medical Stores as aforesaid which are of bad Quality, shall for each such Offence incur a Penalty not exceeding Twenty Pounds.

Power to Governors, &c. to make Regulations as to Supply of Lime or Lemon Juice, &c.

6. In any *British* Possession out of the United Kingdom the Governor or Officer administering the Government for the Time being shall, subject to the Laws of such Possession, have Power to make Regulations concerning the Supply within such Possession of Lime or Lemon Juice and Anti-scorbutics for the Use of Ships; and any Lime or Lemon Juice or Anti-scorbutics duly supplied in accordance with any such Regulations shall be deemed to be fit and proper for the Use of Ships.

Seaman's Expenses in Case of Illness through Neglect of Owner or Master to be paid by them.

7. Whenever it is shown that any Seaman or Apprentice who is ill has, through the Neglect of the Master or Owner, not been provided with proper Food and Water according to his Agreement, or with such Accommodation, Medicines, Medical Stores, or Anti-scorbutics as are required by the Principal Act or by this Act, then, unless it can be shown that the Illness has been produced by other Causes, the Owner or Master shall be liable to pay all Expenses properly and necessarily incurred by reason of such Illness (not exceeding in the whole Three Months Wages), either by such Seaman himself, or by Her Majesty's Government, or any Officer of Her Majesty's Government, or by any Parochial or other Local Authority on his Behalf, and such Expenses may be recovered in the same Way as if they were Wages duly earned: Provided that this Enactment shall not operate so as to affect any further Liability of any such Owner or Master for such Neglect, or any Remedy which any Seaman already possesses.

Forfeiture of Wages, &c. of Seaman when Illness caused by his own Default.

8. Where a Seaman is by reason of Illness incapable of performing his Duty, and it is proved that such Illness has been caused by his own wilful Act or Default, he shall not be entitled

to

to Wages for the Time during which he is by reason of such Illness incapable of performing his Duty.

Place appropriated to Seamen to have a certain Space for each Man, and to be properly constructed and kept clear.

9. The following Rules shall be observed with respect to Accommodation on board *British* Ships; (that is to say,)

(1.) Every Place in any Ship occupied by Seamen or Apprentices, and appropriated to their Use, shall have for every such Seaman or Apprentice a Space of not less than Seventy-two Cubic Feet, and of not less than Twelve Superficial Feet, measured on the Deck or Floor of such Place:

(2.) Every such Place shall be such as to make the Space aforesaid available for the proper Accommodation of the Men who are to occupy it, shall be securely constructed, properly lighted and ventilated, properly protected from Weather and Sea, and as far as practicable properly shut off and protected from Effluvium which may be caused by Cargo or Bilge Water:

(3.) No such Place as aforesaid shall be deemed to be such as to authorize a Deduction from Registered Tonnage, under the Provisions herein-after contained, unless there is or are in the Ship One or more properly constructed Privy or Privies for the Use of the Crew; such Privy or Privies to be of such Number and of such Construction as may be approved by the Surveyor herein-after mentioned:

(4.) Every such Place shall, whenever the Ship is registered or re-registered, be inspected by One of the Surveyors appointed by the Board of Trade under Part IV. of the Principal Act, who shall, if satisfied that the same is in all respects such as is required by this Act, give to the Collector of Customs a Certificate to that Effect, and thereupon such Space shall be deducted from the Register Tonnage:

(5.) No such Deduction from Tonnage as aforesaid shall be authorized unless there is permanently cut in a Beam, and cut in or painted on or over the Doorway or Hatchway of every such Place, the Number of Men which it is constructed to accommodate, with the Words "Certified to accommodate Seamen":

(6.) Every such Place shall be kept free from Stores or Goods of any kind, not being the personal Property of the Crew in use during the Voyage:

(7.) Upon any Complaint concerning any such Place as aforesaid, One of the Surveyors appointed by the Board of Trade may inspect such Place, and if he finds that any of the Pro-

visions of this Act with respect to the same are not complied with he shall report the same to the Collector of Customs at the Port where the Ship is registered, and thereupon the registered Tonnage shall be altered, and the Deduction aforesaid in respect of Space disallowed, unless and until it shall be certified by such Surveyor, or by some other Surveyor appointed by the Board of Trade, that the Provisions of the Act in respect of such Place are fully complied with:

(8.) If any such Place in any Ship is not kept free from Goods and Stores as aforesaid, the Master shall be deemed to be in fault, and shall for every such Failure to comply with the Provisions of this Section forfeit and pay to each Seaman lodged in such Place the Sum of One Shilling a Day for each Day after Complaint made to him by any Two or more of such Seamen during which any Goods or Stores, not being the personal Property of the Crew, are stored or kept therein:

(9.) If in any other respect the Provisions of this Section are not observed with respect to any such Place in any Ship the Owner shall be deemed to be in fault, and shall for every Failure to comply with the Provisions of this Section incur a Penalty not exceeding Twenty Pounds.

Rules for Medical Inspection of Seamen.

10. The following Rules shall be observed with respect to the Medical Inspection of Seamen; that is to say,

(1.) At any Port where there is a Local Marine Board the Local Marine Board, and at other Ports in the United Kingdom the Board of Trade, may appoint a Medical Inspector of Seamen:

(2.) Such Medical Inspector of Seamen shall, on Application by the Owner or Master of any Ship, examine any Seaman applying for Employment in such Ship, and shall give to the Superintendent of the Mercantile Marine Office a Report under his Hand stating whether such Seaman is in a fit State for Duty at Sea, and a Copy of such Report shall be given to the Master or Owner of the Ship:

(3.) The Master or Owner applying for such Inspection shall pay to the Superintendent such Fees as the Board of Trade direct, and such Fees shall be paid into and form Part of the Mercantile Marine Fund:

(4.) The said Medical Inspectors shall be remunerated for their Services as the Board of Trade may direct, and such Remuneration shall be paid out of the Mercantile Marine Fund:

(5.) In

(5.) In *British* Possessions out of the United Kingdom the Governor or other Officer administering the Government for the Time being shall have the Power of appointing Medical Inspectors of Seamen, of charging Fees for Inspections, when applied for, and of determining the Remuneration to be paid to such Inspectors.

Offences by British Subjects on board Ships.

11. If any *British* Subject commits any Crime or Offence on board any *British* Ship, or on board any Foreign Ship to which he does not belong, any Court of Justice in Her Majesty's Dominions, which would have had Cognizance of such Crime or Offence if committed on board a *British* Ship within the Limits of the ordinary Jurisdiction of such Court, shall have Jurisdiction to hear and determine the Case as if the said Crime or Offence had been committed as last aforesaid.

Harbour Master at Holyhead may be commissioned as Justice.

12. The Harbour Master for the Time being of the Harbour of *Holyhead*, in the event of its seeming meet to Her Majesty to assign to him Her Majesty's Commission to act as a Justice of the Peace within the Limits within which he is empowered to act in Harbour Matters, shall, during the Continuance of such Assignment and of his Tenure of the Office of Harbour Master, execute within such Limits the Duties of a Justice of the Peace, notwithstanding he may not be qualified by Estate to be a Justice of the Peace for a County, and shall have within such Limits the same Power and Jurisdiction as a Stipendiary Magistrate has by Act of Parliament when sitting at a Police Court or other Place appointed in that Behalf.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXV.

An Act to continue and amend the Acts relating to Contagious or Infectious Diseases among Cattle and other Animals. [20th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited as The Contagious Diseases (Animals) Act, 1867.

Extent of Act.

2. This Act shall not extend to *Ireland*.

Construction of Terms.

3. This Act shall be read as One Act with the Acts enumerated in the First Schedule to this Act as far as they remain in force after the passing of this Act, which Acts are in this Act referred to as the former Acts, and for that Purpose the Term "this Act," where used in any of the former Acts, shall be construed to include the present

Act, and where used in this Act shall be construed to include each of the former Acts, unless there is something in the Subject or Context inconsistent with such Construction; and such of the former Acts as are first, secondly, and fourthly described in that Schedule may be cited by the respective Short Titles appended to the Descriptions thereof in that Schedule; and the former Acts and this Act may be cited together as The Contagious Diseases (Animals) Acts.

Meaning of "Privy Council."

4. Notwithstanding anything in any of the former Acts, the Term "Privy Council" in the former Acts and this Act shall, as regards the making of Orders of Council affecting only Ports, Boroughs, Towns, or Places, or Parts thereof specified in such Orders, and as regards the issuing and Revocation of Licences under an Order of Council, be construed to mean the Lords and others of Her Majesty's Most Honourable Privy Council, or any Two of them, or the Lord President of the Council, or One of Her Majesty's Principal Secretaries of State.

Acts continued.

Continuance of Acts subject to partial Repeal.

5. Sections Eleven and Seventeen of The Cattle Diseases Prevention Act, 1866, are hereby repealed as from the passing of this Act, and the Residue of Part I. of that Act shall be deemed to be and to have always been in force at and before the passing of this Act, and, subject to such Repeal, the former Acts, as far as they are in force at the passing of this Act, shall be and the same are hereby continued (subject to the Provisions of this Act) until the Expiration of One Year after the passing of this Act and to the End of the then next Session of Parliament; but nothing herein (except the Repeal aforesaid) shall be deemed to cause the Discontinuance of any Provision of any of the former Acts sooner than it would have ceased to operate if this Act had not been passed.

Local Authorities.

Local Authority in Counties in Scotland.

6. With respect to Section Five of The Cattle Diseases Prevention Act, 1866, relating to Local Authorities in Counties in *Scotland*, Vacancies from Time to Time happening by Death, Resignation, or otherwise, among the Members of such a Local Authority, shall be filled up by the Authority and in the Manner by and in which the Members vacating Office were respectively nominated; and the Persons nominated as in that Section or in this Section provided, and the Lord Lieutenant of the County, the Convener of the County, and the Sheriff of the County (or in his Absence such One of his Substitutes within the County as he directs by Writing under his Hand), for the Time being, shall constitute

stitute the Local Authority; and the Chairman of the Local Authority, and in default of him the Convener of the County, and in default of him any Three Members of the Local Authority, may at any Time call a Meeting of the Local Authority, to be held at such Time and Place as he or they may fix.

Appointment of Executive Committee by Local Authority.

7. Where under Section Eight of The Cattle Diseases Prevention Act, 1866, a Local Authority forms a Committee, the Local Authority may, if it thinks fit, appoint and designate such Committee as its Executive Committee for the Purposes of this Act, and any Committee so appointed and designated shall have all the Powers of the Local Authority except the Power to make a Rate, and shall have Power to appoint a Sub-Committee or Sub-Committees, and to delegate to such Sub-Committee or Sub-Committees all or any of the Powers of the Executive Committee, with or without Conditions or Restrictions, and from Time to Time to revoke or alter any such Delegation, and shall also have Power to fix the Quorum, and from Time to Time to add to or diminish the Number of the Members, or otherwise alter the Constitution, of any such Sub-Committee, and to lay down Rules for the Guidance of any such Sub-Committee; and every such Sub-Committee shall act according to such Rules; and the Provisions of the said Section Eight relative to the Constitution and Proceedings of Committees formed by the Local Authority shall extend and apply to Sub-Committees formed by the Executive Committee.

Inspectors.

Appointment of Inspectors by Local Authorities.

8. Notwithstanding anything in Section Nine of The Cattle Diseases Prevention Act, 1866, every Local Authority shall at all Times keep appointed at least One such Inspector as in that Section mentioned; and where there is not at the passing of this Act any such Inspector for the District of any Local Authority, that Local Authority shall with all convenient Speed after the passing of this Act appoint at least One such Inspector.

The Privy Council, if satisfied on Inquiry that an Inspector appointed by a Local Authority is incompetent, or has been guilty of Misconduct or Neglect in the Discharge of his Duties, may remove him, and thereupon the Local Authority shall appoint another Person to fill the Vacancy.

Discovery of Disease.

Duties of Inspectors.

9. Every Inspector appointed by a Local Authority, on receiving Information of the supposed Existence of Cattle Plague in any Place within his District, shall proceed to that Place with all practicable

practicable Speed, and execute and discharge the Powers and Duties by Law conferred and imposed on him as such Inspector.

Extension of Power of Entry for Inspectors, &c.

10. Section Ten of The Cattle Diseases Prevention Act, 1866, shall be read and have Effect as if the Words "any Animal affected" were therein substituted for the Words "Cattle affected."

Provisional Declaration of infected Place by Inspector.

11. Where an Inspector finds Cattle Plague to exist within his District, he shall forthwith make a Declaration thereof under his Hand, and shall deliver a Notice under his Hand of such Declaration to the Occupier of the Field, Stable, Cowshed, or other Premises where the Disease is found, and thereupon the same, with all Lands and Buildings contiguous thereto in the same Occupation, shall become and be an infected Place, and the same shall continue to be an infected Place until the Determination and Declaration of the Local Authority relative thereto in this Act provided for.

Determination and Declaration of Local Authority.

12. Where an Inspector makes such a Declaration of the Existence of Cattle Plague he shall with all practicable Speed send a Copy thereof to the Privy Council, and deliver the Declaration to the Local Authority, who shall inquire into the Correctness thereof, and if it appears to them that Cattle Plague existed as declared by the Inspector, they shall so determine and declare, and shall prescribe the Limits of the infected Place; but if it appears to them that Cattle Plague did not exist as declared by the Inspector, and the same is certified to them in Writing by One or more duly qualified Veterinary Surgeons, they shall so determine and declare, and thereupon the Place comprised in the Inspector's Declaration or affected thereby shall cease to be an infected Place.

Declaration of infected Place by Local Authority or Council.

13. The following Authorities, that is to say, any Local Authority with respect to any Place within their District, and the Privy Council with respect to any Place in *Great Britain*, may from Time to Time by Order declare any Field, Stable, Cowshed, or other Premises in which Cattle Plague exists at the Date of the Order or has existed within Seven Days before that Date, with or without a further Area, to be from and after a Time specified in the Order an infected Place.

Extent of infected Place under Declaration of Local Authority.

14. The Area of an infected Place may in all Cases of a Declaration by the Privy Council include, with the Field, Stable, Cowshed, or other Premises in which Cattle Plague has been found to exist, such an Area as to the Privy Council seems requisite; and the Area of an infected Place may in all Cases of a Declaration by a Local Authority include, with the Field, Stable, Cowshed, or other Premises

mises in which Cattle Plague has been found to exist, all Lands and Buildings lying contiguous thereto being in the same Occupation, and within the District of the Local Authority, and also (except in the Metropolis) an Area comprised within One Mile from the Boundaries of those Lands in every Direction, but no more.

Cattle may be slaughtered to ascertain Nature of Disease. Compensation.

15. It shall be lawful for the Inspector of the Privy Council or the Inspector of any Local Authority to order any Animal to be slaughtered for the Purpose of ascertaining the Nature of any Disease, suspected to be Cattle Plague, under which such Animal may be labouring; and when any Animal is so slaughtered the Owner of such Animal shall be compensated in the Manner provided by The Cattle Diseases Prevention Act, 1866.

Extension of Area into District of other Authority.

16. A Local Authority may include in the Area of an infected Place any adjoining Part of the District of another Local Authority, with the previous Consent of that Authority in Writing signed by their Clerk, but not otherwise.

Description of infected Place.

17. The Area of an infected Place may in any Case be described by Reference to a Map deposited at some specified Place, or by Reference to Townships, Parishes, Farms, or otherwise.

Notice of Place being declared infected.

18. An Order of a Local Authority declaring a Place to be an infected Place shall be published by the Local Authority by Notices posted in and near the infected Place, and in such other Manner (if any) as they think expedient; and an Order of the Privy Council declaring a Place to be an infected Place shall be published in like Manner by and at the Expense of any Local Authority to whom the same is sent by the Privy Council for Publication; but any Want of or Defect or Irregularity in Publication shall not invalidate any Order.

Area of infected Places in Metropolis.

19. With respect to the Metropolis the Privy Council may from Time to Time by Order extend the Limits of an infected Place beyond the Boundaries of the Field, Stable, Cowshed, Farm, or Premises where Cattle Plague is declared or found to exist.

Effect of Orders of Council.

20. An Order of the Privy Council relative to an infected Place shall supersede any Order of a Local Authority inconsistent with it.

Rules as to infected Places.

21. The following Rules shall have Effect with respect to infected Places:

(1.) No Animal shall be moved alive out of an infected Place:

(2.) The Hide, Skin, Hair, Wool, Horns, Hoofs, or Offal of any Animal, or any Part thereof, shall not be moved out of an

infected Place without a Licence signed by an Officer of the Local Authority appointed to issue Licences in that Behalf, certifying either that the Thing moved has not formed Part of an Animal affected with Cattle Plague, or of an Animal that has been in the same Shed or Stable, or in the same Herd or Flock, or in contact with an Animal so affected, or that it has been disinfected:

(3.) The Carcase of an Animal, or a single Portion of raw Meat weighing more than Twenty Pounds, shall not be moved out of an infected Place without a Licence signed by an Officer of the Local Authority appointed in that Behalf, certifying that the Carcase or Meat moved is not the Carcase or Part of the Carcase of an Animal affected with Cattle Plague:

(4.) Any Dung of Animals, and any Hay, Straw, Litter, or other Thing commonly used for Food of Animals or otherwise for or about Animals, shall not be moved out of an infected Place without a Licence signed by an Officer of the Local Authority appointed in that Behalf, certifying that the Thing moved has not been in contact with or been used for or about any Animal affected with Cattle Plague, or that it has been disinfected:

But with respect to the Metropolis the Privy Council may from Time to Time by Order vary the Provisions of this Section.

Offences as to infected Places.

22. If any Animal, Hide, Skin, Hair, Wool, Horn, Hoof, Offal, Carcase, Meat, Dung, Hay, Straw, Litter, or other Thing is moved in contravention of the Rules of this Act with respect to infected Places, every Person moving the same, or causing the same to be moved, shall be deemed guilty of an Offence against this Act.

Exception for Railways.

23. The Rules of this Act with respect to infected Places shall not restrict the moving of any Animal or Thing by Railway through an infected Place, such Animal or Thing not being stopped within the infected Place.

Power to make further Rules as to infected Places.

24. The Privy Council may from Time to Time by Order make Rules with respect to infected Places not inconsistent with the Rules of this Act, and Rules so made shall be deemed Rules of this Act with respect to infected Places.

Duties of Local Authorities, &c.

25. It shall be the Duty of every Local Authority and of the Police of every County, Borough, Town, and Place within their respective Districts to enforce and execute the Provisions of this Act and of any Order of the Local Authority or Privy Council thereunder

under relative to infected Places, and to do or cause to be done all such Things as are from Time to Time necessary or expedient for securing, as far as may be, the effectual Isolation of infected Places in respect of the Movement of Animals and Things.

Authority of Constable.

26. Any Constable may proceed as follows:

(1.) He may apprehend any Person found committing an Offence against the Rules of this Act with respect to infected Places, and he shall take any Person so apprehended as soon as conveniently may be before a Justice of the Peace to be examined and dealt with according to Law; and a Person so apprehended shall not be detained in Custody by any Constable without the Order of a Justice longer than is necessary for bringing him before a Justice, or than Twenty-four Hours at longest:

(2.) He may require that any Animal or Thing moved out of an infected Place in contravention of those Rules be forthwith taken back within the Limits of that Place, and may enforce and execute such Requisition.

Discontinuance of Declaration of infected Place.

27. The Local Authority by whom an infected Place is declared may at any Time after the Expiration of Twenty-eight Days from the Disappearance of Cattle Plague in that Place by Order declare the Place to be free from Cattle Plague, and the Privy Council may at any Time by Order declare any Place to be free from Cattle Plague, and thereupon as from the Time specified in this Behalf in the Order of the Local Authority or Privy Council the Place shall cease to be an infected Place.

Report to Council.

28. The Clerk of a Local Authority declaring a Place to be an infected Place, or declaring a Place to be free from Cattle Plague, shall forthwith report by Post to the Privy Council the Fact of such Declaration having been made.

Restriction on Movement, &c. near infected Places.

29. Where, under this Act, an Inspector makes a Declaration which constitutes a Place an infected Place, he may also, if the Circumstances of the Case appear to him so to require, deliver a Notice under his Hand of such Declaration to the Occupiers of all Lands and Buildings adjoining thereto, any Part whereof respectively lies within One Mile of the Boundaries of the infected Place in any Direction, and thereupon the Rules of this Act with respect to infected Places shall, until the Determination and Declaration of the Local Authority relative thereto in this Act provided for, apply and have Effect to and in respect of those Lands and Buildings as if the same were actually within the Limits of the infected Place.

Towns,

Towns, Cities, &c.

Provisions for Towns, &c.

30. The Privy Council may from Time to Time by Order declare that such of the Provisions of this Act, and of any Order of the Privy Council under it, as relate to the Metropolis, or any of those Provisions, shall also extend and apply to any Town, City, Parish, or Place specified in the Order, and the same shall extend to such Town, City, Parish, or Place accordingly; and the Privy Council may at any Time revoke, or from Time to Time vary, any such Order.

Reports.

Reports to Privy Council.

31. Every Local Authority and every Inspector appointed by a Local Authority shall make such Reports to the Privy Council as the Privy Council from Time to Time require.

Compensation and Expenses.

Power to withhold Compensation in case of Offences, &c.

32. Notwithstanding anything in the former Acts, a Local Authority may, if they think fit, withhold Compensation in respect of any Animal slaughtered, where the Owner or Person having the Charge of such Animal has been guilty, in relation to such Animal, of any Act in contravention of any of the former Acts or this Act, or of any Order, Regulation, or Licence of the Privy Council or a Local Authority, or has, in relation to such Animal, failed to comply with the Provisions of any such Act, Order, Regulation, or Licence in respect of the giving of Notice of Disease or in any other respect.

Expenses of Local Authority other than Compensation.

33. Where the Expenses incurred by a Local Authority in pursuance of this Act do not include any Expenditure in Compensation for Animals slaughtered, the same shall be defrayed out of the Local Rate, as defined by The Cattle Diseases Prevention Act, 1866, and not out of a separate Rate; and in every such Case the following Provisions shall not extend and apply to the Local Rate; namely,

The Provisions of Section Eighteen of The Cattle Diseases Prevention Act, 1866, relative to the Deduction of Part of the Rate by a Person not the Owner of Premises:

The Provisions of the same Section relative to the describing, collecting, or specifying of the Rate as a separate Rate or separate Item of Rate:

The Provisions of The Cattle Diseases Prevention Amendment Act, 1866.

Further Provision for Compensation in Scotland.

34. Notwithstanding anything in any of the former Acts, the Local Authority of a County in *Scotland* may, if they think fit, pay in respect of Animals slaughtered in consequence of being affected with Cattle Plague in the Interval between the passing of

The

The Cattle Diseases Prevention Act, 1866, and the Constitution of the Local Authority, such Compensation as would have been payable in respect of the same Animals if the Local Authority had been duly constituted at the Time of the same being slaughtered; and, if necessary for the Purpose of making Payment of such Compensation, the Local Authority shall have and be entitled to exercise the same Powers of assessing and levying Money as are competent to Local Authorities in reference to Local Rates or Cattle Act Expenses under any of the former Acts.

Assessment and Collection of Local Rate in Counties in Scotland.

35. The Commissioners of Supply of a County in *Scotland* may assess and collect the Local Rate mentioned in Section Twenty-one of The Cattle Diseases Prevention Act, 1866, either on and from the Tenants of Lands and Heritages as therein provided or on and from the Proprietors thereof (and that, notwithstanding anything in this Act, either with or without Relief against the Tenants for One Half of the Assessment), according as it may be declared in the Resolutions imposing the same, and with the like Powers in regard to the Recovery of Assessments as are mentioned in that Section.

Expenses of Local Authority under Orders of Council.

36. Expenses incurred by a Local Authority in executing any Order of the Privy Council between the passing of The Cattle Diseases Prevention Act, 1866, and the Date of the Order of the Privy Council of the Twenty-fourth Day of *March* One thousand eight hundred and sixty-six, shall be deemed to have been incurred in pursuance of the last-mentioned Act; and the Expenses incurred by a Local Authority in executing any Order of the Privy Council made under this Act shall be defrayed as such Order directs, and, subject to or in the Absence of any such Direction, shall be deemed Expenses incurred in pursuance of this Act.

Rate in Aid.

Half-yearly Accounts of Compensation.

37. Each Local Authority shall cause an Account of their Expenditure in Compensation for Animals slaughtered to be made up to *Michaelmas* and *Lady Day* in each Year, commencing with the Half Year ending *Michaelmas* One thousand eight hundred and sixty-seven, or to such other half-yearly Days as the Poor Law Board from Time to Time direct.

As to Application to Poor Law Board by Local Authority for Audit.

38. Where from such half-yearly Account of a Local Authority it appears that their Expenditure in Compensation in any Half Year exceeds the Rate of Ninepence in the Pound *per Annum* on the annual rateable Value of the Property in the District, the Local Authority may apply to the Poor Law Board for an Audit of their Accounts for that Half Year, and the Poor Law Board shall direct an Audit accordingly.

39. With

Regulations respecting Audit.

39. With respect to such Audit the following Rules shall have Effect:

(1.) The Auditor shall be appointed by the Poor Law Board:

(2.) The Auditor shall receive such Remuneration as the Poor Law Board direct, and the same shall be paid by the Local Authority, and shall, with the Expenses of or incident to the Audit, be deemed Part of the Expenditure of the Local Authority in Compensation:

(3.) The Audit shall be held at a Place approved by the Poor Law Board and at the Time fixed by the Auditor, being as soon as may be after the Application for the Audit:

(4.) The Auditor shall, Fourteen Days at least before holding the Audit, give Notice of the Time and Place for the holding thereof by Advertisement in a Newspaper circulating in the District, and by a written Notice delivered to or served on the Clerk of the Local Authority:

(5.) The Clerk of the Local Authority shall attend the Audit, and produce to the Auditor all Books, Bills, Vouchers, and Documents relating to the Account:

(6.) Any Ratepayer in the District may be present at the Audit, and may object to the Account:

(7.) The Auditor shall, as nearly as may be, have the like Powers, and be under the like Obligation, to allow and disallow Items in the Account, as the Auditor in the Case of an Audit under the Authority of the Poor Law Board of the Account of an Overseer; and there may be an Appeal by any Person aggrieved by the Decision of the Auditor in like Manner, as nearly as may be, as in the Case of such last-mentioned Audit:

(8.) When the Auditor has completed his Audit, he shall sign the Account, and shall also sign and deliver to the Poor Law Board and to the Local Authority a Certificate of the Amount allowed:

(9.) Subject to the foregoing Provisions, the Poor Law Board may from Time to Time make such Regulations respecting the Audit as they think fit.

Power for Poor Law Board to make Order of Contribution.

40. If on any such Audit it appears to the Poor Law Board from the Certificate of the Auditor that the Expenditure of the Local Authority in Compensation within the Half Year of Account has exceeded the Rate of Ninepence in the Pound *per Annum* on the annual rateable Value of the Property in the District of the Local Authority, the Poor Law Board shall make a General Order directed to the several Local Authorities whose Districts adjoin to the District of the Local Authority on whose Behalf the Order is made,

made, and to the several Local Authorities whose Districts are locally situate (wholly or partly) within the District of the Local Authority on whose Behalf the Order is made or within such adjoining Districts, and shall thereby require those several Local Authorities to contribute a Sum of Money to meet such Excess of Expenditure: Provided always, that no Local Authority shall be required to contribute any Sum of Money beyond an Amount sufficient, together with any Cattle Rate raised in the District, to bring the Charge for the Year up to Ninepence in the Pound on the annual rateable Value.

Basis for Contribution.

41. The Sums to be so contributed by Local Authorities shall be assessed on them by the Poor Law Board in proportion to the annual rateable Value of the Property in their respective Districts, to be determined according to the Valuation Lists, or, where there are none, on such other Basis as the Poor Law Board from Time to Time direct.

Contribution to be a Debt.

42. The Sum to be so contributed by a Local Authority shall be a Debt due from them to the Local Authority on whose Behalf the Order is made, and the Order of the Poor Law Board shall be for all Purposes conclusive Evidence of the Existence and Amount of such Debt.

As to raising of Money for Contribution.

43. The Money to be so contributed by a Local Authority shall be deemed Expenditure in compensation for Animals slaughtered, and shall be raised accordingly by the Local Rate or a separate Rate, in manner provided by Section Eighteen of The Cattle Diseases Prevention Act, 1866.

Payment of Money for Contribution.

44. The Amount to be so contributed by a Local Authority shall, when raised, be paid to the Treasurer or other proper Officer of the Local Authority on whose Behalf the Order of the Poor Law Board is made.

Provision against disputing of Orders of Poor Law Board, &c.

45. An Order of the Poor Law Board under this Act shall not be liable to be removed into a Court of Law by Certiorari or otherwise, nor shall an Order of a Local Authority, or a Rate, made to carry into effect the Provisions of this Act relative to Contribution, be liable to Question in a Court of Law on the Ground of its having been made wholly or partly in furtherance of any such Order of the Poor Law Board.

Foreign Animals.

Regulations respecting landing, &c. of Foreign Animals.

46. The Privy Council may from Time to Time by Order regulate the landing in *Great Britain* of Foreign Animals (that is to say, Animals brought by Sea from any Place out of the United Kingdom),

Kingdom), either as regards the Port or Ports or as regards the Part or Parts of the Port or Ports at which such Animals may be landed, and may define the Limits of such Ports for the Purposes of this Act, and may from Time to Time by Order prohibit or regulate the Removal and regulate the Disposal, by Slaughter or otherwise, of such Animals from or at any such Port or any Part thereof.

Places for Sale, Slaughter, &c. may be provided by Local Authority.

47. It shall be lawful for the Local Authority to provide, erect, and fit up proper Places for the Sale of such Animals, Lairs for and Slaughter of the same, and for such Purpose they may purchase or hire Land or Buildings; and Section Twenty-six of The Cattle Diseases Prevention Act, 1866, shall be deemed to extend to such Purchase or Hiring, and to enable the Local Authority in that Behalf, and the Local Authority may charge for the Use of such Places such Rates as they shall from Time to Time appoint, with the Approval of the Privy Council; and all Expenses of the Execution by Local Authorities of the Powers of this Section shall be deemed Expenses incurred by them in pursuance of this Act.

Cleansing of Pens and Trucks.

Railway Companies to disinfect Carriages, Boats, &c.

48. It shall be the Duty of every Railway or other Company and every Person carrying Animals for Hire to thoroughly cleanse and disinfect, in such Manner as the Privy Council from Time to Time by Order direct, all Pens, Carriages, Trucks, Horse-boxes, Vehicles, and Boats used by such Company or Person for the carrying of Animals.

If any Company or Person on any Occasion fails to comply with the Requisitions of any such Order, such Company or Person shall on every such Occasion be deemed guilty of an Offence against this Act.

Section Ten of The Cattle Diseases Prevention Act, 1866, shall extend to authorize Entry by any such Person as therein described on Premises where he has reasonable Grounds for supposing that any such Pen, Carriage, Truck, Horse-box, Vehicle, or Boat is to be found, and that in respect thereof any Company or Person has on any Occasion failed to comply with the Requisitions of any such Order.

Pleuro-Pneumonia, &c.

Exposure for Sale of diseased Cattle or Sheep.

49. If any Person exposes for Sale in a Market or Fair Cattle affected with Pleuro-Pneumonia, or Sheep affected with Scab, he shall be deemed guilty of an Offence against this Act, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of the same being so affected, and that he could not with reasonable Diligence have obtained such Knowledge.

Disinfecting.

Disinfecting.

Regulations for disinfecting.

50. The Privy Council may from Time to Time by Order give Directions respecting Modes of disinfecting, and anything disinfected in accordance with the Provisions of such Order, or in accordance with any Process of Disinfection approved by the Privy Council, shall be deemed disinfected within this Act, but not otherwise.

Publication of certain Orders, &c.

Publication of Orders, &c. issued by Privy Council.

51. An Order of the Privy Council affecting only a particular Port, Borough, Town, or Place, or Part thereof specified in such Order, or declaring a Place to be an infected Place, or to be free from Cattle Plague, and a Licence under an Order of the Privy Council, or a Revocation of such a Licence, issued or made either before or after the passing of this Act, shall not be deemed an Order or Regulation made by the Privy Council within the Meaning of Section Seven of The Contagious Diseases (Animals) Act, 1866; and any such Orders, Licence, or Revocation as in this Section described shall be deemed to be and to have been valid if a Notice of the issuing thereof is or has been published once in the *London Gazette*.

Any such Order, Licence, or Revocation shall be published by and at the Expense of any Local Authority to whom the same is sent by the Privy Council for Publication in some Newspaper circulating in the District of the Local Authority, or in such other Manner as the Privy Council direct.

Forms.

Instruments may be in Print, &c.

52. Any Order, Licence, Regulation, or other Instrument made under this Act, or under any Order of the Privy Council thereunder, may be in Writing or Print, or partly in Writing and partly in Print.

Forms in Second Schedule.

53. The Forms given in the Second Schedule to this Act, or Forms to the like Effect, may be used, and when used shall be deemed sufficient.

Offences.

Penalties on Use of expired Licences, &c.

54. If any Person does any of the following Things he shall be deemed guilty of an Offence against this Act; that is to say,

(1.) If he does anything for which a Licence is requisite under any of the former Acts or this Act, or any Order of the Privy Council thereunder, without having obtained a Licence:

(2.) If where such a Licence is requisite, having obtained a Licence in that Behalf, he does the Thing licensed after the Licence has expired:

(3.) If he uses or offers or attempts to use as such a Licence an Instrument not being a complete Licence, or an Instrument untruly purporting or appearing to be a Licence, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Incompleteness or Untruth, and that he could not with reasonable Diligence have obtained such Knowledge:

(4.) If, with Intent to evade any Provision of any of the former Acts or of this Act or of any Order of the Privy Council thereunder, he fabricates or alters, or offers or utters knowing the same to be fabricated or altered, any Declaration or Certificate made or issued or purporting to be made or issued under or for any Purpose of any of the former Acts or this Act or any such Order:

(5.) If for the Purpose of obtaining any Licence, Certificate, or Instrument under or for the Purposes of any such Provision he makes a Declaration false in any material Particular, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

(6.) If he obtains or endeavours to obtain any such Licence, Certificate, or Instrument by means of any false Pretence, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

(7.) If he grants or issues any such Licence, Certificate, or Instrument, being false in any material Particular, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

And the Provisions of Section Ten of The Cattle Diseases Prevention Amendment Act, 1866, respecting Procedure and Punishment, shall apply to every such Offence.

Penalties for Offences not comprised in foregoing Section.

55. If any Person is guilty of an Offence against this Act, or any Orders of the Privy Council thereunder, not comprised in the last foregoing Section, he shall for each such Offence be liable to such Penalty as is provided by Section Twenty-seven of The Cattle Diseases Prevention Act, 1866; and where any such Offence is committed in relation to Offal, Dung, Hay, Straw, Litter, or other Thing, a further Penalty not exceeding Ten Pounds may be imposed in respect of every Half Ton in Weight of such Offal or other Thing after the First Half Ton.

56. For

Contagious Diseases (Animals).

Jurisdiction for Trial of Offences, &c.

56. For the Purposes of Proceedings under this Act, or any Order of the Privy Council or Order or Regulation of a Local Authority thereunder, every Offence against this Act or any such Order or Regulation shall be deemed to have been committed, and every Cause of Complaint under this Act or any such Order or Regulation shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Person charged or complained against happens to be.

Protection of Persons in Execution of Act.

Actions against Persons executing Act not to be brought without Notice, &c.

57. No Action or Proceeding shall lie against any Person acting or intending to act under the Authority or in the Execution or in pursuance of this Act for any alleged Irregularity or Trespass or other Act or Thing done or omitted by him under this Act, unless Notice in Writing (specifying the Cause of the Action or Proceeding, and the Name and Residence of the intending Plaintiff or Prosecutor, and of his Attorney or Agent in the Matter,) is given by the intending Plaintiff or Prosecutor to the intended Defendant One Month at least before the Commencement of the Action or Proceeding, nor unless the Action or Proceeding is commenced within Four Months next after the Act or Thing complained of is done or omitted, or in case of a Continuation of Damage within Four Months next after the doing of such Damage has ceased; and any such Action shall be laid and tried in the County or Place where the Cause of Action arose, and not elsewhere.

Plea in Action.

58. In any such Action the Defendant may plead generally that the Act or Thing complained of was done or omitted by him when acting or intending to act under the Authority or in the Execution or in pursuance of this Act, and may give all special Matter in Evidence.

Evidence in Action.

59. On the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action not stated in his Notice.

Tender of Amends, &c.

60. The Plaintiff in any such Action shall not succeed if Tender of sufficient Amends is made by the Defendant before the Commencement of the Action; and in case no Tender has been made the Defendant may, by Leave of the Court in which the Action is brought, at any Time pay into the Court such Sum of Money as he thinks fit, whereupon such Proceeding and Order shall be had and made in and by the Court as may be had and made on the Payment of Money into Court in an ordinary Action.

61. If

Costs of Defendant.

61. If in any such Action the Plaintiff does not succeed in obtaining Judgment, the Defendant shall receive such full and reasonable Indemnity as to all Costs, Charges, and Expenses incurred in and about the Action as may be taxed and allowed by the proper Officer, subject to Review; and though a Verdict is given for the Plaintiff in the Action, he shall not have Costs against the Defendant unless the Judge before whom the Trial is had certifies his Approval of the Action and Verdict.

Costs, &c. of Defence to Actions, &c. under Direction of Local Authority.

62. Where any such Action or Proceeding is defended under the Direction or with the Approval of the Local Authority, the Costs, Charges, and Expenses incurred in and about the same by or on behalf of the Defendant and payable by him, and any Damages or other Money recovered against or payable by him in or in consequence of such Action or Proceeding, shall be deemed Expenses incurred by the Local Authority in pursuance of this Act, and shall be defrayed accordingly.

SCHEDULES.

THE FIRST SCHEDULE.

Former Acts continued.

11 & 12 Vict. c. 107.—An Act to prevent until the First Day of September One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1848.]

16 & 17 Vict. c. 62.—An Act to extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1853.]

29 & 30 Vict. c. 2.—The Cattle Diseases Prevention Act, 1866.

29 & 30 Vict. c. 15.—An Act to amend the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter One hundred and seven, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1866.]

29 & 30 Vict. c. 110.—The Cattle Diseases Prevention Amendment Act, 1866.

THE SECOND SCHEDULE.

Forms for Use by Inspector respecting infected Places.

(1.)

Declaration of infected Place.

The Contagious Diseases (Animals) Act, 1867

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby declare that I have this Day found Cattle Plague to exist in the following Field, Stable, Cowshed, or other Premises, (that is to say,) [*here describe the Place where the Disease is found*].

Dated this Day of 18 .

(Signed) *A.B.*

(2.)

Notice of Declaration to Occupiers.

The Contagious Diseases (Animals) Act, 1867.

To *C.D.* of

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby give you Notice, as the Occupier of the following Field, Stable, Cowshed, or other Premises, (that is to say,) [*here describe the Place where the Disease is found,*] that I have made a Declaration, a Copy whereof is indorsed on this Notice [*Copy of Declaration as filled up and signed to be indorsed*], and that in consequence thereof the Field, Stable, Cowshed, or other Premises aforesaid, with all Lands and Buildings contiguous thereto in your Occupation, have become and are an infected Place, and that the same will continue to be an infected Place until the Determination and Declaration relative thereto of the Local Authority, as provided for in Section of the above-mentioned Act.

Dated this Day of 18 .

(Signed) *A.B.*

(3.)

Notice of Declaration to adjoining Occupiers.

The Contagious Diseases (Animals) Act, 1867.

To *E.F.* of

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby give you Notice that I have made a Declaration, a Copy whereof is indorsed on this Notice [*Copy of Declaration as filled up and signed to be indorsed*], and that in consequence thereof the Field, Stable, Cowshed, or other Premises therein described, with all Lands and Buildings contiguous thereto in the same Occupation, have become and are an infected Place, and the same will continue to be an infected Place until the Determination and Declaration relative thereto of the Local Authority, as provided for in Section of the above-mentioned Act. And I hereby require you, as an Occupier of Lands and Buildings adjoining to such infected Place, Part [*or* the whole] whereof lies within One Mile of the Boundaries of the infected Place, to take notice that in consequence of the Declaration aforesaid the Rules of the said Act with respect to infected Places will, until such Determination and Declaration of the Local Authority as aforesaid, apply and have Effect to and in respect of the Lands and Buildings of which you are Occupier as if the same were actually within the Limits of the infected Place.

Dated this Day of 18 .

(Signed) *A.B.*

LONDON:

Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

(whether on Deeds containing a Clause of Registration or on registered Protests of Promissory Notes or Bills of Exchange):

The Term "Share" includes Stock:

The Term "Person" includes Corporation:

The Terms "Court of Session" and "Court" shall mean either Division of the Court of Session, or in Time of Vacation the Lord Ordinary officiating on the Bills.

Protection of Rolling Stock and Plant.

Restriction on Diligence against Moveable Property of Company;

4. The Engines, Tenders, Carriages, Trucks, Machinery, Tools, Fittings, Materials, and Effects constituting the Rolling Stock and Plant used or provided by a Company for the Purposes of the Traffic on their Railway, or of their Stations or Workshops, shall not, after their Railway or any Part thereof is open for Public Traffic, be liable to be attached by Diligence at any Time after the passing of this Act and before the First Day of *September* One thousand eight hundred and sixty-eight where the Decree on which Diligence proceeds is obtained in an Action on a Contract entered into after the passing of this Act, or in an Action not on a Contract commenced after the passing of this Act, or on a protested Promissory Note or Bill of Exchange, or a Deed containing a Clause of Registration registered after the passing of this Act; but the Person who has obtained any such Decree may obtain the Appointment of a Judicial Factor on the Undertaking of the Company, on Application by Petition in a summary Way to the Court, and all Money received by such Judicial Factor shall, after due Provision for the Working Expenses of the Railway and other proper Outgoings in respect of the Undertaking, be applied and distributed, under the Direction of the Court, in Payment of the Debts of the Company, and otherwise according to the Rights and Priorities of the Persons for the Time being interested therein, and on Payment of the Amount due to every such Person who has obtained Decree as aforesaid the Court may, if it think fit, discharge such Judicial Factor.

but the Person who has obtained Decree may obtain Appointment of a Judicial Factor.

Determination of Questions respecting Diligence.

5. If in any Case where Property of a Company has been attached by Diligence a Question arises whether or not it is liable to be so attached notwithstanding this Act, the same may be heard and determined on an Application by either Party by Petition in a summary Way to the Court, and such Determination shall be final and binding.

Arrangements.

Preparation and lodging of Scheme of Arrangement.

6. Where a Company are unable to meet their Engagements with their Creditors the Directors may prepare a Scheme of Arrangement between the Company and their Creditors (with or without Provisions

visions for settling and defining any Rights of Shareholders of the Company as among themselves, and for raising, if necessary, additional Share and Loan Capital, or either of them), and may present a Petition to the Court for the Approval and Confirmation thereof, and shall along therewith lodge a Declaration in Writing under the Common Seal of the Company to the Effect that the Company are unable to meet their Engagements with their Creditors, and with an Affidavit of the Truth of such Declaration made by the Chairman of the Board of Directors and by the other Directors, or the major Part in Number of them, to the best of their respective Judgment and Belief.

Stay of Actions.

7. After the Application shall have been made for the Approval of the Scheme, the Court may, on Motion by the Company in such Application, sist or interdict any Action or other Proceedings against the Company on such Terms as the Court thinks fit.

Notice in Edinburgh Gazette.

8. Notice of the Application to the Court for the Confirmation of the Scheme shall be published in the *Edinburgh Gazette*.

Stay of Diligence, &c.

9. After such Publication of Notice no Diligence against the Property of the Company shall be available without Leave of the Court, to be obtained on Petition in a summary Way.

Assent by Debenture Holders, &c.

10. The Scheme shall be deemed to be assented to by the Holders of Mortgages, Debentures, or Bonds issued under the Authority of the Company's Special Acts when it is assented to in Writing by Three Fourths in Value of the Holders of such Mortgages, Debentures, or Bonds, and shall be deemed to be assented to by the Holders of Debenture Stock of the Company when it is assented to in Writing by Three Fourths in Value of the Holders of such Stock.

Assent by Persons in right of annual Payment, &c.

11. Where any annual Payment is charged on the Receipts of or is payable by the Company in consideration of the Purchase of the Undertaking of another Company, the Scheme shall be deemed to be assented to by the Persons in right of such annual Payment when it is assented to in Writing by Three Fourths in Value of such Persons.

Assent by Preference Shareholders.

12. The Scheme shall be deemed to be assented to by the Guaranteed or Preference Shareholders of the Company when it is assented to in Writing as follows:—If there is only One Class of Guaranteed or Preference Shareholders, then by Three Fourths in Value of that Class; and if there are more Classes of Guaranteed or Preference Shareholders than One, then by Three Fourths in Value of each such Class.

13. The

Assent by Ordinary Shareholders.

13. The Scheme shall be deemed to be assented to by the Ordinary Shareholders of the Company when it is assented to at an Extraordinary General Meeting of the Company specially called for that Purpose.

Assent by Leasing Company.

14. Where the Company are Lessees of a Railway the Scheme shall be deemed to be assented to by the Leasing Company when it is assented to as follows:

In Writing by Three Fourths in Value of the Holders of Mortgages, Bonds, and Debenture Stock of the Leasing Company:

If there is only One Class of Guaranteed or Preference Shareholders of the Leasing Company, then in Writing by Three Fourths in Value of that Class; and if there are more Classes of Guaranteed or Preference Shareholders in the Leasing Company than One, then in Writing by Three Fourths in Value of each such Class:

By the Ordinary Shareholders of the Leasing Company at an Extraordinary General Meeting of that Company specially called for that Purpose.

Assent of Creditors, &c. not affected, unnecessary.

15. Provided that the Assent to the Scheme of any Class of Holders of Mortgages, Debentures, Bonds, or Debenture Stock, or of any Class of Persons in right of annual Payment as aforesaid, or of any Class of Guaranteed or Preference Shareholders, or the Assent of a Leasing Company, shall not be requisite in case the Scheme does not prejudicially affect any Right or Interest of such Class or Company.

Application for Confirmation of Scheme.

16. If at any Time within Three Months after presenting a Petition to the Court for the Confirmation of the Scheme, or within such extended Time as the Court from Time to Time thinks fit to allow, the Directors of the Company consider the Scheme to be assented to as by this Act required, they may move the Court for Confirmation of the Scheme.

Notice of any such Application, when intended, shall be published in the *Edinburgh Gazette*.

Confirmation of Scheme.

17. After hearing the Directors, and any Creditors, Shareholders, or other Parties whom the Court thinks entitled to be heard on the Application, the Court, if satisfied that the Scheme has been, within Three Months after the Presentation of the Petition for Confirmation thereof, or within such extended Time (if any) as the Court has allowed, assented to as required by this Act, and that no sufficient Objection to the Scheme has been established, may confirm the Scheme, and decern accordingly.

18. The

Scheme, when confirmed, to be final, binding, and effectual.

18. The Scheme, when confirmed, shall be extracted, and thenceforth the same shall be final and binding and effectual to all Intents, and the Provisions thereof shall, against and in favour of the Company and all Parties assenting thereto or bound thereby, have the like Effect as if they had been enacted by Parliament.

Notice of Confirmation of Scheme.

19. Notice of the Decree of Confirmation of the Scheme shall be published in the *Edinburgh Gazette*.

Company to keep printed Copies of Scheme, for Sale.

20. The Company shall at all Times keep at their principal Office printed Copies of the Scheme, when confirmed, and shall sell such Copies to all Persons desiring to buy the same at a reasonable Price, not exceeding Sixpence for each Copy.

Penalty on Neglect.

If the Company fail to comply with this Provision they shall be liable to a Penalty not exceeding Twenty Pounds, and to a further Penalty not exceeding Five Pounds for every Day during which such Failure continues after the First Penalty is incurred, which Penalties shall be recovered and applied as Penalties under The Railways Clauses Consolidation (*Scotland*) Act, 1845, are recoverable and applicable.

Provision for Cases where Railways or Part in England.

21. Where a Company whose principal Office is situate in *Scotland* have a Railway or Part of a Railway in *England* the following Provisions shall have Effect:

(1.) Any Petition for the Approval and Confirmation of a Scheme under this Act shall be presented to the Court of Session:

(2.) Where, after the presenting of any such Petition, any Person who is not amenable to the Jurisdiction of the Court of Session brings any Action or institutes any other Proceeding against the Company in *England*, the Court of Chancery may, on the Application of the Company on Summons or Motion, in a summary Way restrain the same on such Terms as the Court thinks fit:

(3.) Notice of the presenting of the Petition shall be published in the *London Gazette*, and after such Publication no Execution, Attachment, or other Process against the Property of the Company in *England* shall be available for any Person who is not amenable to the Jurisdiction of the Court of Session without the Leave of the Court of Chancery, to be obtained on Summons or Motion in a summary Way.

22. The

Acts of Sederunt to be made.

22. The Court of Session may from Time to Time make Acts of Sederunt for the Regulation of the Practice of the Court under this Act.

Loan Capital.

Priority of Mortgages.

23. All Money borrowed or to be borrowed by a Company on Mortgage, Debenture, or Bond, or Debenture Stock, under the Provisions of any Act authorizing the borrowing thereof, shall have Priority against the Company and the Property from Time to Time of the Company over all other Claims on account of any Debts incurred or Engagements entered into by them after the passing of this Act: Provided always, that this Priority shall not affect any Claim, Right, or Remedy against the Company in respect of any Rentcharge, annual Feu Duty, or Ground Annual granted or to be granted by them in pursuance of the Lands Clauses Consolidation (*Scotland*) Act, 1845, or the Lands Clauses Consolidation Acts Amendment Act, 1860, or in respect of any Rent or Sum reserved by or payable under any Lease granted or made to the Company by any Person in pursuance of any Act relating to the Company which is entitled to rank in Priority to, or *pari passu* with, the Interest or Dividends on the Mortgages, Debentures, Bonds, and Debenture Stock; nor shall anything herein-before contained affect any Claim for Land taken, used, or occupied by the Company for the Purposes of the Railway, or injuriously affected by the Construction thereof, or by the Exercise of any Powers conferred on the Company.

Power to issue Debenture Stock, subject to Part III. of 26 & 27 Vict. c. 118.

24. Any Company may create and issue Debenture Stock, subject to the Provisions of Part III. of The Companies Clauses Act, 1863 (relating to Debenture Stock); and the said Part III. shall, with respect to any Special Act of a Company incorporating that Part, whether passed or to be passed, be read and have Effect as if the following Words, that is to say, "not exceeding the Rate prescribed "in the Special Act, and if no Rate is prescribed, then not exceeding "the Rate of Four Pounds *per Centum per Annum*," had not been inserted in Section Twenty-two of that Act; and for the Purposes of the present Section this Act shall be deemed a Special Act passed incorporating that Part, and any Special Act of a Company passed before the passing of this Act prescribing any Rate shall be read and have Effect as if no Rate had been prescribed therein.

Restriction on Rate of Interest on Debenture Stock already authorized.

25. Provided that any Debenture Stock the Creation whereof has been authorized by a Company, but which has not been issued, before the passing of this Act, shall not be issued on any Terms other than those whereon it might have been issued if this Act had not been passed, unless and until the Issue thereof on Terms other than

than as aforesaid is after the passing of this Act authorized by the Company in manner provided in Section Twenty-two of The Companies Clauses Act, 1863.

Advances to meet Debentures falling due.

26. Money borrowed by a Company for the Purpose of paying off, and duly applied in paying off, Bonds, Debentures, or Mortgages of the Company given or made under the statutory Powers of the Company, shall, so far as the same is so applied, be deemed Money borrowed within and not in excess of such statutory Powers.

Share Capital.

Power to issue Shares or Stock at Discount.

27. Section Twenty-one of The Companies Clauses Act, 1863, shall, with respect to any Special Act of a Company incorporating Part II. of that Act, whether passed or to be passed, be read and have Effect as if the following Words, that is to say, "but so that "not less than the full nominal Amount of any Share or Portion "of Stock be payable or paid in respect thereof," had not been inserted in that Section.

Power to issue Residue of original or other Capital at Discount.

28. Any Shares forming Part of the Capital (whether original or additional) authorized to be raised by any Special Act of a Company passed before the present Session which have not been disposed of may be disposed of in manner provided by Part II. of the Companies Clauses Act, 1863, as amended by this Act, and that Part, as so amended, shall be deemed incorporated with such Special Act accordingly.

Restriction on issuing at Discount of Shares or Stock already authorized.

29. Provided that any Shares the Creation whereof has been authorized by a Company, but which have not been issued, before the passing of this Act, shall not be issued on any Terms other than those whereon the same might have been issued if this Act had not been passed, unless and until the Issue thereof on Terms other than as aforesaid is after the passing of this Act authorized by the Company in manner provided by Part II. of The Companies Clauses Act, 1863.

As to Audit of Railway Accounts.

30. No Dividend shall be declared by a Company until the Auditors have certified that the half-yearly Accounts proposed to be issued contain a full and true Statement of the financial Condition of the Company, and that the Dividend proposed to be declared on any Shares is *bonâ fide* due thereon after charging the Revenue of the Half Year with all Expenses which ought to be paid thereout in the Judgment of the Auditors; but if the Directors differ from the Judgment of the Auditors with respect to the Payment of any such Expenses out of the Income of the Half Year, such Difference shall, if the Directors desire it, be stated in the Report

Report to the Shareholders, and the Company in General Meeting may decide thereon, subject to all the Provisions of the Law then existing, and such Decision shall for the Purposes of Dividend be final and binding; but if no such Difference is stated, or if no Decision is given on any such Difference, the Judgment of the Auditors shall be final and binding; and the Auditors may examine the Books of the Company at all reasonable Times, and may call for such further Accounts, and such Vouchers, Papers, and Information, as they think fit; and the Directors and Officers of the Company shall produce and give the same as far as they can, and the Auditors may refuse to certify as aforesaid until they have received the same; and the Auditors may at any Time add to their Certificate, or issue to the Shareholders independently, at the Cost of the Company, any Statement respecting the financial Condition and Prospects of the Company which they think material for the Information of the Shareholders.

Abandonment.

Provisions of 13 & 14 Vict. c. 83. as to Abandonment of Railways to apply to all Companies authorized to make Railways passed before this Session.

31. The Abandonment of Railways Act, 1850, shall extend and apply to all Companies authorized to make Railways by Act of Parliament passed before the present Session, subject and according to the following Provisions:

(1.) Section Thirty-one of that Act shall be read and have Effect as if The Companies Act, 1862, were referred to therein instead of The Joint Stock Companies Winding-up Act, 1848, or any Act amending the same:

(2.) Section Thirty-five of the said Act of 1850 shall be read and have Effect as if the Date of the Twenty-first Day of *May* One thousand eight hundred and sixty-seven were therein substituted for the Date of the Eleventh Day of *February* One thousand eight hundred and fifty:

(3.) Nothing in the said Act of 1850 or this Act shall be deemed to make it obligatory on the Board of Trade to authorize the Abandonment of a Railway or Part of a Railway on any Application in that Behalf, and the Board of Trade shall not authorize such Abandonment in any Case, unless it appears to them just and expedient so to do; and the Board of Trade may, if they think fit, refuse in any Case to authorize such Abandonment, except on Condition of the Money deposited as Security for the Completion of the Railway, or the Stocks, Funds, or Securities on which the same is invested, or the Money secured by any Bond conditioned for Completion of the Railway, or for Payment of Money in default thereof, being applied as Part of the Assets of the Company.

32. Where

Abandonment where Three Fifths of Capital has not been subscribed.

32. Where it is shown to the Satisfaction of the Board of Trade, with respect to a Company authorized to make a Railway by Act of Parliament passed before the present Session that no Part or a Part less than Three Fifths of the Share Capital of the Company has been subscribed, the Board of Trade may, if they think fit, proceed under the said Act of 1850, as extended by this Act, on the Application of any Person named in the Special Act incorporating the Company as a Member or Director thereof, or of any Person named in the Warrant or Order directing Payment of any Deposit under any Standing Order of either House of Parliament, or of any Person who has lent the Amount of such Deposit or any Part thereof, or has entered into any Bond conditioned for the Completion of the Railway, or for Payment of any Money in default thereof, and without the preliminary Consent of a Meeting of Shareholders of the Company.

Compensation for Damage to Land by Entry, &c.

33. The Authority given under this Act for the Abandonment by a Company of any Railway or Part of a Railway shall not affect the Right of the Owner or Occupier of any Lands that have been temporarily occupied by the Company to receive Compensation, in accordance with the Provisions of The Railways Clauses Consolidation (*Scotland*) Act, 1845, for such temporary Occupation, or for any Loss, Damage, or Injury that has been sustained by him by reason thereof, or of the Exercise as regards such Lands of any of the Company's Powers.

Cancellation of Bonds for Completion of Railways, and Release of Deposit.

34. Where a Warrant for Abandonment is granted under The Abandonment of Railways Act, 1850, as extended by this Act, the Commissioners of Her Majesty's Treasury may cancel and deliver up any Bond entered into by or on behalf of a Railway Company for securing the Completion of a Railway, or, in case the Abandonment be of Part of the Railway only, may cancel and deliver up such Bond on receiving another Bond in lieu thereof, conditioned for Payment of a due proportionate Part of the Amount secured by such former Bond; and any Money remaining deposited as Security for the Completion of the Railway, or the Stocks, Funds, or Securities in which the same is invested, or any Bank Annuities, Stocks, Funds, Securities, or Exchequer Bills remaining deposited as such Security, or in case the Abandonment authorized is of Part only of a Railway, then such proportionate Part as the Board of Trade thinks fit of such Money, Stocks, Funds, Securities, Annuities, or Exchequer Bills, shall be paid, transferred, or delivered out to the Persons who would be entitled to receive the same if the Railway had been completed and opened for public Traffic; and the Court of Chancery or Court

of Session, as the Case may be, shall, on the Application of those Persons, order Payment, Transfer, or Delivery out thereof accordingly, on a Certificate of the Board of Trade certifying that such a Warrant for Abandonment has been granted.

Protection for Board of Trade in case of Error.

35. The issuing in any Case of any Warrant or Certificate relating to Deposit, or to any Money, Stocks, Funds, Securities, Bank Annuities, or Exchequer Bills deposited, or any Error in any such Warrant or Certificate, or in relation thereto, shall not make the Board of Trade, or the Person signing the Warrant or Certificate on their Behalf, in any Manner liable for or in respect of the Money, Stocks, Funds, Securities, Bank Annuities, or Exchequer Bills deposited, or the Interest of or Dividends on the same or any Part thereof respectively.

Purchase of Lands.

Amendment (as to Railway Companies) of Section 84. of 8 & 9 Vict. c. 19.

36. Where after the passing of this Act a Company exercise the Powers conferred on the Promoters of the Undertaking by Section Eighty-four of The Lands Clauses Consolidation (*Scotland*) Act, 1845, the following Provisions shall have Effect:

(1.) The Valuator to be appointed as in that Section provided shall be appointed by the Board of Trade instead of by the Sheriff, and all the Provisions of that Act relative to a Valuator appointed by the Sheriff shall apply to a Valuator so appointed by the Board of Trade:

(2.) The Company shall give not less than Seven Days Notice of their Intention to apply to the Board of Trade for the Appointment of a Valuator to any Party interested in or entitled to sell and convey the Lands in question, and not consenting to the Entry of the Company:

(3.) The Valuation to be made by the Valuator so appointed shall include the Amount of Compensation for all Damage and Injury to be sustained by reason of the Exercise of the Powers conferred by the said Section, as far as such Damage and Injury are capable of Estimation:

(4.) The Securities to the Bond to be given by the Company under that Section shall, in case the Parties differ, instead of being approved of by the Sheriff, be approved of by the Board of Trade, after hearing the Parties.

Costs of Arbitration.

37. Where, under The Lands Clauses Consolidation (*Scotland*) Act, 1845, or any Act incorporating the same, a Question of disputed Compensation relating to Lands required to be purchased

or

or taken by a Company is determined by Arbitration, the Costs of and incidental to the Arbitration and Award shall, if either Party so requires, be taxed, as between the Parties, by the Auditor of the Court of Session.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXVII.

An Act to amend the Law relating to Railway Companies. [20th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Railway Companies Act, 1867. Short Title.

2. Except as in this Act expressly otherwise provided, this Act shall not extend to *Scotland*. Extent of Act.

3. In this Act— Interpretation of Terms.

The Term "Company" means a Railway Company; that is to say, a Company constituted by Act of Parliament, or by Certificate under Act of Parliament, for the Purpose of constructing, maintaining, or working a Railway (either alone or in conjunction with any other Purpose):

The Term "Action" includes Suit or other Proceeding:

The Term "Judgment" includes Decree, Order, or Rule:

The Term "Share" includes Stock:

The Term "Person" includes Corporation:

The Term "Court of Chancery" or "Court" means the Court of Chancery in *England* or *Ireland*, as the Case requires:

The Term "Gazette" means, with respect to *England*, the *London Gazette*, and with respect to *Ireland* the *Dublin Gazette*.

Protection of Rolling Stock and Plant.

Restriction on Execution against Personal Property of Company.

4. The Engines, Tenders, Carriages, Trucks, Machinery, Tools, Fittings, Materials, and Effects, constituting the Rolling Stock and Plant used or provided by a Company for the Purposes of the Traffic on their Railway, or of their Stations or Workshops, shall not, after their Railway or any Part thereof is open for Public Traffic, be liable to be taken in Execution at Law or in Equity at any Time after the passing of this Act, and before the First Day of *September* One thousand eight hundred and sixty-eight, where the Judgment on which Execution issues is recovered in an Action on a Contract entered into after the passing of this Act, or in an Action not on a Contract commenced after the passing of this Act; but the Person who has recovered any such Judgment may obtain the Appointment of a Receiver, and, if necessary, of a Manager, of the Undertaking of the Company, on Application by Petition in a summary Way to the Court of Chancery in *England* or in *Ireland*, according to the Situation of the Railway of the Company; and all Money received by such Receiver or Manager shall, after due Provision for the Working Expenses of the Railway and other proper Outgoings in respect of the Undertaking, be applied and distributed under the Direction of the Court in Payment of the Debts of the Company and otherwise according to the Rights and Priorities of the Persons for the Time being interested therein; and on Payment of the Amount due to every such Judgment Creditor as aforesaid the Court may, if it think fit, discharge such Receiver or such Receiver and Manager.

Determination of Questions respecting Executions.

5. If in any Case where Property of a Company has been taken in Execution a Question arises whether or not it is liable to be so taken notwithstanding this Act, the same may be heard and determined on an Application by either Party by Summons in a summary Way to the Court out of which the Execution issued, or if the Court is One of the Superior Courts of Law, then to a Judge of any One of those Courts, and such Determination shall be final and binding.

Arrangements.

Preparation and filing of Scheme of Arrangement.

6. Where a Company are unable to meet their Engagements with their Creditors the Directors may prepare a Scheme of Arrangement

Arrangement between the Company and their Creditors (with or without Provisions for settling and defining any Rights of Shareholders of the Company as among themselves, and for raising, if necessary, additional Share and Loan Capital, or either of them), and may file the same in the Court of Chancery in *England* or in *Ireland*, according to the Situation of the principal Office of the Company, with a Declaration in Writing under the Common Seal of the Company to the Effect that the Company are unable to meet their Engagements with their Creditors, and with an Affidavit of the Truth of such Declaration made by the Chairman of the Board of Directors and by the other Directors, or the major Part in Number of them, to the best of their respective Judgment and Belief.

Stay of Actions.

7. After the filing of the Scheme, the Court may, on the Application of the Company on Summons or Motion in a summary Way, restrain any Action against the Company on such Terms as the Court thinks fit.

Notice in Gazette.

8. Notice of the filing of the Scheme shall be published in the Gazette.

Stay of Executions, &c.

9. After such Publication of Notice no Execution, Attachment, or other Process against the Property of the Company shall be available without Leave of the Court, to be obtained on Summons or Motion in a summary Way.

Assent by Mortgagees, &c.

10. The Scheme shall be deemed to be assented to by the Holders of Mortgages or Bonds issued under the Authority of the Company's Special Acts when it is assented to in Writing by Three Fourths in Value of the Holders of such Mortgages or Bonds, and shall be deemed to be assented to by the Holders of Debenture Stock of the Company when it is assented to in Writing by Three Fourths in Value of the Holders of such Stock.

Assent by Holders of Rentcharge, &c.

11. Where any Rentcharge or other Payment is charged on Receipts of or is payable by the Company in consideration of the Purchase of the Undertaking of another Company, the Scheme shall be deemed to be assented to by the Holders of such Rentcharge or other Payment when it is assented to in Writing by Three Fourths in Value of such Holders.

Assent by Preference Shareholders.

12. The Scheme shall be deemed to be assented to by the Guaranteed or Preference Shareholders of the Company when it is assented to in Writing as follows:—If there is only One Class of Guaranteed or Preference Shareholders, then by Three Fourths in

in Value of that Class, and if there are more Classes of Guaranteed or Preference Shareholders than One, then by Three Fourths in Value of each such Class.

Assent by Ordinary Shareholders.

13. The Scheme shall be deemed to be assented to by the Ordinary Shareholders of the Company when it is assented to at an Extraordinary General Meeting of the Company specially called for that Purpose.

Assent by Leasing Company.

14. Where the Company are Lessees of a Railway the Scheme shall be deemed to be assented to by the Leasing Company when it is assented to as follows:

In Writing by Three Fourths in Value of the Holders of Mortgages, Bonds, and Debenture Stock of the Leasing Company:

If there is only One Class of Guaranteed or Preference Shareholders of the Leasing Company, then in Writing by Three Fourths in Value of that Class, and if there are more Classes of Guaranteed or Preference Shareholders in the Leasing Company than One, then in Writing by Three Fourths in Value of each such Class:

By the Ordinary Shareholders of the Leasing Company at an Extraordinary General Meeting of that Company specially called for that Purpose.

Assent of Creditors, &c. not affected, unnecessary.

15. Provided that the Assent to the Scheme of any Class of Holders of Mortgages, Bonds, or Debenture Stock, or of any Class of Holders of a Rentcharge or other Payment as aforesaid, or of any Class of Guaranteed or Preference Shareholders, or of a Leasing Company, shall not be requisite in case the Scheme does not prejudicially affect any Right or Interest of such Class or Company.

Application for Confirmation of Scheme.

16. If at any Time within Three Months after the filing of the Scheme, or within such extended Time as the Court from Time to Time thinks fit to allow, the Directors of the Company consider the Scheme to be assented to as by this Act required, they may apply to the Court by Petition in a summary Way for Confirmation of the Scheme.

Notice of any such Application, when intended, shall be published in the Gazette.

Confirmation of Scheme.

17. After hearing the Directors, and any Creditors, Shareholders, or other Parties whom the Court thinks entitled to be heard on the Application, the Court, if satisfied that the Scheme has been within Three

Three Months after the filing of it, or such extended Time (if any) as the Court has allowed, assented to as required by this Act, and that no sufficient Objection to the Scheme has been established, may confirm the Scheme.

Enrolment and Effect of Scheme.

18. The Scheme when confirmed shall be enrolled in the Court, and thenceforth the same shall be binding and effectual to all Intents, and the Provisions thereof shall, against and in favour of the Company and all Parties assenting thereto or bound thereby, have the like Effect as if they had been enacted by Parliament.

Notice of Confirmation of Scheme.

19. Notice of the Confirmation and Enrolment of the Scheme shall be published in the Gazette.

Company to keep printed Copies of Scheme for Sale.

20. The Company shall at all Times keep at their principal Office printed Copies of the Scheme, when confirmed and enrolled, and shall sell such Copies to all Persons desiring to buy the same at a reasonable Price, not exceeding Sixpence for each Copy.

Penalty for Neglect.

If the Company fail to comply with this Provision they shall be liable to a Penalty not exceeding Twenty Pounds, and to a further Penalty not exceeding Five Pounds for every Day during which such Failure continues after the First Penalty is incurred, which Penalties shall be recovered and applied as Penalties under The Railways Clauses Consolidation Act, 1845, are recoverable and applicable.

Provision for Cases where Railways or Part in Scotland.

21. Where a Company whose principal Office is situate in *England* have a Railway or Part of a Railway in *Scotland* the following Provisions shall have Effect:

(1.) Any Scheme under this Act shall be filed in the Court of Chancery in *England:*

(2.) Where, after the filing of the Scheme, any Person who is not amenable to the Jurisdiction of the Court of Chancery in *England* brings any Action against the Company in *Scotland,* the Court of Session may, on the Application of the Company by Petition in a summary Way, sist, stay, or interdict the same on such Terms as the Court thinks fit:

(3.) Notice of the filing of the Scheme shall be published in the *Edinburgh Gazette,* and after such Publication no Diligence against the Property of the Company in *Scotland* shall be available for any Person who is not amenable to the Jurisdiction of the Court of Chancery in *England* without the Leave of the Court of Session, to be obtained on Petition in a summary Way:

In this Section the Term "Court of Session" means either Division of the Court of Session, or in Time of Vacation the Lord Ordinary officiating on the Bills.

General Orders for Regulation of Practice in Court of Chancery.

22. The Lord Chancellor of *Great Britain*, with the Advice and Assistance of the Lords Justices of the Court of Appeal in Chancery, the Master of the Rolls, and the Vice-Chancellors, or any Two of those Judges, and the Lord Chancellor of *Ireland*, with the Advice and Assistance of the Lord Justice of Appeal in Chancery and the Master of the Rolls, or One of them, may from Time to Time make General Orders for the Regulation of the Practice of the Courts of Chancery in *England* and *Ireland* respectively under this Act.

Loan Capital.

Priority of Mortgages.

23. All Money borrowed or to be borrowed by a Company on Mortgage or Bond or Debenture Stock under the Provisions of any Act authorizing the borrowing thereof shall have Priority against the Company and the Property from Time to Time of the Company over all other Claims on account of any Debts incurred or Engagements entered into by them after the passing of this Act: Provided always, that this Priority shall not affect any Claim against the Company in respect of any Rentcharge granted or to be granted by them in pursuance of The Lands Clauses Consolidation Act, 1845, or The Lands Clauses Consolidation Acts Amendment Act, 1860, or in respect of any Rent or Sum reserved by or payable under any Lease granted or made to the Company by any Person in pursuance of any Act relating to the Company which is entitled to rank in priority to, or *pari passu* with, the Interest or Dividends on the Mortgages, Bonds, and Debenture Stock; nor shall anything herein-before contained affect any Claim for Land taken, used, or occupied by the Company for the Purposes of the Railway, or injuriously affected by the Construction thereof, or by the Exercise of any Powers conferred on the Company.

Power to issue Debenture Stock, subject to Part III. of 26 & 27 Vict. c. 118.

24. Any Company may create and issue Debenture Stock, subject to the Provisions of Part III. of The Companies Clauses Act, 1863, (relating to Debenture Stock,) and the said Part III. shall, with respect to any Special Act of a Company incorporating that Part, whether passed or to be passed, be read and have Effect as if the following Words, that is to say, "not exceeding the Rate pre-"scribed in the Special Act, and if no Rate is prescribed then not "exceeding the Rate of Four Pounds *per Centum per Annum*," had not been inserted in Section Twenty-two of that Act; and for the Purposes of the present Section this Act shall be deemed a Special

a Special Act passed incorporating that Part; and any Special Act of a Company passed before the passing of this Act prescribing any Rate shall be read and have Effect as if no Rate had been prescribed therein.

Restriction on Rate of Interest on Debenture Stock already authorized.

25. Provided that any Debenture Stock the Creation whereof has been authorized by a Company, but which has not been issued, before the passing of this Act, shall not be issued on any Terms other than those whereon it might have been issued if this Act had not been passed, unless and until the Issue thereof on Terms other than as aforesaid is after the passing of this Act authorized by the Company in manner provided in Section Twenty-two of The Companies Clauses Act, 1863.

Advances to meet Debentures falling due.

26. Money borrowed by a Company for the Purpose of paying off, and duly applied in paying off, Bonds or Mortgages of the Company given or made under the statutory Powers of the Company, shall, so far as the same is so applied, be deemed Money borrowed within and not in excess of such statutory Powers.

Share Capital.

Power to issue Shares or Stock at Discount.

27. Section Twenty-one of The Companies Clauses Act, 1863, shall, with respect to any Special Act of a Company incorporating Part II. of that Act, whether passed or to be passed, be read and have Effect as if the following Words, that is to say, "but so that "not less than the full nominal Amount of any Share or Portion "of Stock be payable or paid in respect thereof," had not been inserted in that Section.

Power to issue Residue of original or other Capital at Discount.

28. Any Shares forming Part of the Capital (whether original or additional) authorized to be raised by any Special Act of a Company passed before the present Session, which have not been disposed of, may be disposed of in manner provided by Part II. of The Companies Clauses Act, 1863, as amended by this Act, and that Part, as so amended, shall be deemed incorporated with such Special Act accordingly.

Restriction on issuing at Discount of Shares or Stock already authorized.

29. Provided that any Shares the Creation whereof has been authorized by a Company, but which have not been issued, before the passing of this Act, shall not be issued on any Terms other than those whereon the same might have been issued if this Act had not been passed, unless and until the Issue thereof on Terms other than as aforesaid is after the passing of this Act authorized by the Company in manner provided by Part II. of The Companies Clauses Act, 1863.

30. No

Audit of Railway Accounts.

30. No Dividend shall be declared by a Company until the Auditors have certified that the Half-yearly Accounts proposed to be issued contain a full and true Statement of the financial Condition of the Company, and that the Dividend proposed to be declared on any Shares is *bonâ fide* due thereon after charging the Revenue of the Half Year with all Expenses which ought to be paid thereout in the Judgment of the Auditors; but if the Directors differ from the Judgment of the Auditors with respect to the Payment of any such Expenses out of the Revenue of the Half Year, such Difference shall, if the Directors desire it, be stated in the Report to the Shareholders, and the Company in General Meeting may decide thereon, subject to all the Provisions of the Law then existing, and such Decision shall for the Purposes of the Dividend be final and binding; but if no such Difference is stated, or if no Decision is given on any such Difference, the Judgment of the Auditors shall be final and binding; and the Auditors may examine the Books of the Company at all reasonable Times, and may call for such further Accounts, and such Vouchers, Papers, and Information, as they think fit, and the Directors and Officers of the Company shall produce and give the same as far as they can, and the Auditors may refuse to certify as aforesaid until they have received the same; and the Auditors may at any Time add to their Certificate, or issue to the Shareholders independently at the Cost of the Company, any Statement respecting the financial Condition and Prospects of the Company which they think material for the Information of the Shareholders.

Abandonment.

Provisions of 13 & 14 Vict. c. 83. as to Abandonment of Railways to apply to all Companies authorized to make Railways before this Session.

31. The Abandonment of Railways Act, 1850, shall extend and apply to all Companies authorized to make Railways by Act of Parliament passed before the present Session, subject and according to the following Provisions:

(1.) Section Thirty-one of that Act shall be read and have Effect as if The Companies Act, 1862, were referred to therein instead of The Joint Stock Companies Winding-up Act, 1848, or any Act amending the same:

(2.) Section Thirty-five of the said Act of 1850 shall be read and have Effect as if the Date of the Twenty-first Day of *May* One thousand eight hundred and sixty-seven were therein substituted for the Date of the Eleventh Day of *February* One thousand eight hundred and fifty:

(3.) Nothing in the said Act of 1850 or this Act shall be deemed to make it obligatory on the Board of Trade to authorize the Abandonment of a Railway or Part of a Railway on any Application in that Behalf, and the Board of Trade shall

shall not authorize such Abandonment in any Case unless it appears to them just and expedient so to do, and the Board of Trade may, if they think fit, refuse in any Case to authorize such Abandonment, except on Condition of the Money deposited as Security for the Completion of the Railway, or the Stocks, Funds, or Securities on which the same is invested, or the Money secured by any Bond conditioned for Completion of the Railway, or for Payment of Money in default thereof, being applied as Part of the Assets of the Company.

Abandonment where Three Fifths of Capital not subscribed.

32. Where it is shown to the Satisfaction of the Board of Trade, with respect to a Company authorized to make a Railway by Act of Parliament passed before the present Session, that no Part, or a Part less than Three Fifths, of the Share Capital of the Company, has been subscribed, the Board of Trade may, if they think fit, proceed under the said Act of 1850, as extended by this Act, on the Application of any Person named in the Special Act incorporating the Company as a Member or Director thereof, or of any Person named in the Warrant or Order directing Payment of any Deposit under any Standing Order of either House of Parliament, or of any Person who has lent the Amount of such Deposit, or any Part thereof, or has entered into any Bond conditioned for the Completion of the Railway, or for Payment of any Money in default thereof, and without the preliminary Consent of a Meeting of Shareholders of the Company.

Compensation for Damage to Land by Entry, &c.

33. The Authority given under this Act for the Abandonment by a Company of any Railway or Part of a Railway shall not affect the Right of the Owner or Occupier of any Lands that have been temporarily occupied by the Company to receive Compensation, in accordance with the Provisions of The Railways Clauses Consolidation Act, 1845, for such temporary Occupation, or for any Loss, Damage, or Injury that has been sustained by him by reason thereof, or of the Exercise as regards such Lands of any of the Company's Powers.

Cancellation of Bonds for Completion of Railways, and Release of Deposit.

34. Where a Warrant for Abandonment is granted under The Abandonment of Railways Act, 1850, as extended by this Act, the Commissioners of Her Majesty's Treasury may cancel and deliver up any Bond entered into by or on behalf of a Railway Company for securing the Completion of a Railway, or, in case the Abandonment be of Part of the Railway only, may cancel and deliver up such Bond on receiving another Bond in lieu thereof conditioned for Payment of a due proportionate Part of the Amount secured

by such former Bond; and any Money remaining deposited as Security for the Completion of the Railway, or the Stocks, Funds, or Securities in which the same is invested, or any Bank Annuities, Stocks, Funds, Securities, or Exchequer Bills remaining deposited as such Security, or in case the Abandonment authorized is of Part only of a Railway then such proportionate Part as the Board of Trade thinks fit of such Money, Stocks, Funds, Securities, Annuities, or Exchequer Bills, shall be paid, transferred, or delivered out to the Persons who would be entitled to receive the same if the Railway had been completed and opened for Public Traffic; and the Court of Chancery shall, on the Application of those Persons, order Payment, Transfer, or Delivery out thereof accordingly, on a Certificate of the Board of Trade certifying that such a Warrant for Abandonment has been granted.

Protection for Board of Trade in case of Error.

35. The issuing in any Case of any Warrant or Certificate relating to Deposit, or to any Money, Stocks, Funds, Securities, Bank Annuities, or Exchequer Bills deposited, or any Error in any such Warrant or Certificate, or in relation thereto, shall not make the Board of Trade, or the Person signing the Warrant or Certificate on their Behalf, in any Manner liable for or in respect of the Money, Stocks, Funds, Securities, Bank Annuities, or Exchequer Bills deposited, or the Interest of or Dividends on the same, or any Part thereof respectively.

Purchase of Lands.

Amendment (as to Railway Companies) of Section 85. of 8 & 9 Vict. c. 18.

36. Where after the passing of this Act a Company exercise the Powers conferred on the Promoters of the Undertaking by Section Eighty-five of The Lands Clauses Consolidation Act, 1845, the following Provisions shall have Effect:

(1.) The Surveyor to be appointed as in that Section provided shall be appointed by the Board of Trade instead of by Two Justices, and all the Provisions of that Act relative to a Surveyor appointed by Two Justices shall apply to a Surveyor so appointed by the Board of Trade:

(2.) The Company shall give not less than Seven Days Notice of their Intention to apply to the Board of Trade for the Appointment of a Surveyor to any Party interested in or entitled to sell and convey the Lands in question, and not consenting to the Entry of the Company:

(3.) The Valuation to be made by the Surveyor so appointed shall include the Amount of Compensation for all Damage and Injury to be sustained by reason of the Exercise of the Powers conferred by the said Section, as far as such Damage and Injury are capable of Estimation;

(4.) The

(4.) The Sureties to the Bond to be given by the Company under that Section shall, in case the Parties differ, instead of being approved of by Two Justices, be approved of by the Board of Trade, after hearing the Parties.

Costs of Arbitrations as to Lands.

37. Where, in *England*, under The Lands Clauses Consolidation Act, 1845, or any Act incorporating the same, a Question of disputed Compensation relating to Lands required to be purchased or taken by a Company is determined by Arbitration, the Costs of and incidental to the Arbitration and Award shall, if either Party so requires, be settled, as between the Parties, by One of the Masters of the Court of Queen's Bench.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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C A P. CXXVIII.

An Act for the Protection of War Department Stores. [20th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The War Department Stores Act, 1867.

Extent of Act.

2. This Act shall not extend to *Scotland* or *Ireland*.

Interpretation of Terms.

3. In this Act—

The Term "the Secretary of State for War" means such One of Her Majesty's Principal Secretaries of State as Her Majesty is for the Time being pleased to intrust with the Seals of the War Department:

The Term "Dealer in Marine Stores" means a Person bound to conform with the Regulations of The Merchant Shipping Act, 1854, Section Four hundred and eighty: 17 & 18 Vict. c. 104. s. 480.

The Term "Dealer in Old Metals" has the same Meaning as in The Old Metal Dealers Act, 1861: 24 & 25 Vict. c. 110.

The Term "Stores" includes all Goods and Chattels and any single Store or Article.

4. The

Repeal of Enactments in Schedule to this Act.

4. The Enactments described in the Schedule to this Act are hereby repealed as far as they relate to Military or Ordnance Stores, or other Her Majesty's Stores under the Charge or Control of the Secretary of State for War; but this Repeal or anything in this Act shall not apply to or in respect of any Offence, Act, or Thing committed or done before the passing of this Act, save that this Act shall apply to Stores bearing any such Mark or Part of a Mark as in this Act mentioned, whether applied before or after the passing of this Act.

Marks appropriated for War Department Stores.

5. The following Marks, namely, the Broad Arrow with or without the Letters W. D. or the Letters B. O., may be applied in or on Stores to denote Her Majesty's Property in Stores so marked.

It shall be lawful for the Secretary of State for War and the Contractors, Officers, and Workmen of the War Department to apply those Marks or any of them in or on Stores.

If any Person without lawful Authority (Proof of which Authority shall lie on the Party accused) applies any of those Marks in or on any Stores, he shall be deemed guilty of a Misdemeanor, and shall on Conviction thereof be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Obliteration with Intent to conceal, &c., Felony.

6. If any Person, with Intent to conceal Her Majesty's Property in any Stores, takes out, destroys, or obliterates wholly or in part any such Mark as aforesaid, he shall be deemed guilty of Felony, and shall on Conviction thereof be liable, in the Discretion of the Court before which he is convicted, to be kept in Penal Servitude for any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Knowingly receiving, &c. marked Stores a Misdemeanor.

7. If any Person without lawful Authority (Proof of which Authority shall lie on the Party accused) receives, possesses, keeps, sells, or delivers any Stores bearing any such Mark as aforesaid, or any Part of any such Mark, knowing them to bear such Mark or Part of a Mark, he shall be deemed guilty of a Misdemeanor, and shall on Conviction thereof be liable to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Knowledge of Stores beingmarked presumed against Dealers, &c.

8. Where a Person charged with such a Misdemeanor as last aforesaid was, at the Time at which the Offence is charged to have been committed, in Her Majesty's Service or a Dealer in Marine Stores or in Old Metals, or a Pawnbroker, Knowledge on his Part that the Stores to which the Charge relates bore such a Mark or Part of a Mark as aforesaid shall be presumed until the contrary is shown.

9. A Person

Summary Conviction in certain Cases.

9. A Person charged with such a Misdemeanor as last aforesaid in relation to Stores the Value whereof does not exceed Five Pounds shall be liable, on summary Conviction before a Justice of the Peace, to a Penalty not exceeding Five Pounds, or in the Discretion of the Justice to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Penalty on Dealer, &c. found in possession of unmarked Stores, and not accounting.

10. If Stores are found in the Possession of a Person being in Her Majesty's Service, or being a Dealer in Marine Stores or in Old Metals, or a Pawnbroker, and he is taken or summoned before a Justice of the Peace, and such Stores do not bear any such Mark or Part of a Mark as aforesaid, but the Justice sees reasonable Grounds for believing them to be or to have been Her Majesty's Property, then if such Person does not satisfy the Justice that he came by the Stores so found lawfully he shall be liable on summary Conviction before the Justice to a Penalty not exceeding Five Pounds.

Effect of Conviction of Dealer in Old Metals.

11. A Conviction under this Act of a Dealer in Old Metals shall for the Purposes of Registration and its Consequences under The Old Metal Dealers Act, 1861, be equivalent to a Conviction under that Act.

Penalty on Persons not Dealers, &c. found in possession of marked Stores and not accounting.

12. In order to prevent a Failure of Justice in some Cases by reason of the Difficulty of proving Knowledge of the Fact that Stores bore such a Mark as aforesaid,—

If Stores bearing such a Mark or Part of a Mark are found in the Possession of a Person not being in Her Majesty's Service, and not being a Dealer in Marine Stores or in Old Metals, or a Pawnbroker, the following Provisions shall have effect :—

(1.) If such Person when taken or summoned before a Justice of the Peace does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable on summary Conviction before the Justice to a Penalty not exceeding Five Pounds :

(2.) If he satisfies the Justice that he came by the Stores so found lawfully, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case require, may summon before him every Person through whose Hands such Stores appear to have passed, and if any such Person as last aforesaid who has had Possession thereof does not satisfy the Justice that he came by the same lawfully, he shall be liable on summary Conviction before the Justice to a Penalty not exceeding Five Pounds.

Provision for Regimental Necessaries, &c.

13. The Provisions of this Act relative to the taking out, destroying, or obliterating of Marks, or to the receiving, possessing, keeping, selling, or delivering of marked Stores, or to the possessing of unmarked

unmarked Stores, shall not apply to Stores issued as Regimental Necessaries or otherwise for any Soldier, Militiaman, or Volunteer; but nothing herein shall relieve any Person from any Obligation or Liability to which he may be subject under any other Act in respect of any such Stores.

Criminal Possession explained.

14. For the Purposes of this Act, Stores shall be deemed to be in the Possession or Keeping of any Person if he knowingly has them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Field, or Place, open or inclosed, whether occupied by himself or not, and whether the same are so had for his own Use or Benefit, or for the Use of Benefit of another.

Power for Policemen to search Vehicles, &c.

15. A Constable of the Metropolitan Police Force may, within the Limits for which he is sworn, stop, search, and detain any Carriage, Boat, or Vessel on or in which there is reason to suspect that any of Her Majesty's Stores stolen or unlawfully obtained may be found, or any Person reasonably suspected of then and there having in his Possession any such Stores stolen or unlawfully obtained.

Sections 98, 99, 100, 103, 107 to 113, and 115 to 121 of 24 & 25 Vict. c. 96. incorporated with this Act.

16. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, (Chapter Ninety-six), "to consolidate and amend the Statute Law "of *England* and *Ireland* relating to Larceny and other similar "Offences," shall be incorporated with this Act, and shall for the Purposes of this Act be read as if they were here re-enacted, namely, Sections Ninety-eight to One hundred, One hundred and three, One hundred and seven to One hundred and thirteen, and One hundred and fifteen to One hundred and twenty-one (all inclusive), and for this Purpose the Expression "this Act" where used in the Sections herein incorporated shall be taken to include the present Act.

No Person to gather or search for Stores within Ranges, unless authorized.

17. It shall not be lawful for any Person without Permission in Writing from the Secretary of State for War, or from some Person authorized by him in that Behalf (Proof of which Permission shall lie on the Party accused), to gather or search for Stores, or to creep, sweep, or dredge in the Spaces or Distances marked out and appropriated for Ranges under the Provisions of The Artillery Ranges Act, 1862, whether covered with Water or not, or in the Sea or any tidal Water within One thousand Yards of any Battery or Fort used for the Practice of Artillery either by the Royal Artillery or by Militia or Volunteer Artillery.

Penalty.

If any Person acts in contravention of this Provision he shall be liable on summary Conviction before a Justice of the Peace to a Penalty

a Penalty not exceeding Five Pounds, or to be imprisoned for any Term not exceeding Three Months, with or without Hard Labour.

Application of Penalties, &c.

18. Notwithstanding anything in any Act relating to Municipal Corporations, or to the Metropolitan Police Force, or in any other Act, any pecuniary Penalty or other Money recovered under this Act shall be paid or applied as the Secretary of State for War directs.

Provision for Indictments, &c.

19. Nothing in this Act shall prevent any Person from being indicted under this Act or otherwise for any indictable Offence made punishable on summary Conviction by this Act, or prevent any Person from being liable under any other Act or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Act, so that no Person be punished twice for the same Offence.

Power for Secretary of State to sue, &c.

20. The Secretary of State for War may institute and prosecute any Action, Suit, or Proceeding, Civil or Criminal, concerning Military or Ordnance Stores, or other Her Majesty's Stores under the Charge or Control of the Secretary of State for War, or any Stores sold or contracted to be delivered to or by the Secretary of State for War for the Use or on account of Her Majesty, or the Price to be paid for the same, or any Loss or Injury of or to any such Stores as aforesaid, and may defend any Action, Suit, or Proceeding concerning any such Stores, Matter, or Thing as aforesaid; and in every such Action, Suit, or Proceeding the Secretary of State for War may be so described, without more; and any such Action, Suit, or Proceeding shall not be affected by any Change in the Person for the Time being holding the Office of Secretary of State for War: Provided always as follows:

(1.) Nothing herein shall take away or abridge in or in relation to any such Action, Suit, or Proceeding any legal Right, Privilege, or Prerogative of the Crown; and in all such Actions, Suits, and Proceedings, and in all Matters and Proceedings connected therewith, the Secretary of State for War may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Proceeding in any Court of Law or Equity by the Crown, as if the Crown were actually a Party to such Action, Suit, or Proceeding:

(2.) It shall be lawful for Her Majesty, Her Heirs and Successors, if and when it seems fit, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act.

SCHEDULE.

Enactments repealed with respect to War Department Stores, except as to Scotland and Ireland.

9 & 10 Will. 3. c. 41. in part.	An Act for the better preventing the Imbezlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and Abuses in paying Seamen's Wages } in part; namely,— Sections One, Two, Four, Five, and Eight.
9 Geo. 1. c. 8. in part.	*An Act, the Title whereof begins with the Words* An Act for continuing some Laws, *and ends with the Words* Stuffs to be exported - - - } in part; namely,— Sections Three, Four, and Five.
17 Geo. 2. c. 40. in part.	*An Act, the Title whereof begins with the Words* An Act to continue the several Laws, *and ends with the Words* England without Licence - - - } in part; namely,— Section Ten.
39 & 40 Geo. 3. c. 89.	An Act for the better preventing the Embezzlement of His Majesty's Naval, Ordnance, and Victualling Stores.
54 Geo. 3. c. 60.	An Act for the better preventing the Embezzlement of His Majesty's Cordage.
55 Geo. 3. c. 127.	An Act to repeal an Act of the Fifty-third Year of His present Majesty, for preventing the Embezzlement of Stores; and to extend the Provisions of the several Acts relating to His Majesty's Naval, Ordnance, and Victualling Stores to all other public Stores.
4 Geo. 4. c. 53.	An Act for extending the Benefit of Clergy to several Larcenies therein mentioned.

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Offices of Clerk and Assistant Clerk of Affidavits, of Clerk and Assistant Clerk of Appearances and Writs, of Deputy Keeper of the Rolls, of Clerk and Assistant Clerk of Enrolments, and of Clerk and Assistant Clerk of Pleadings in the Department of the Deputy Keeper of the Rolls, of Clerk of Recognizances, and of Clerk and Assistant Clerk of the Record Department in the Office of the Registrar, and of the Cash Clerk in the said Office of the Registrar, shall be and the same are hereby abolished.

"Record and Writ Office" to be provided.

4. From and after the Commencement of this Act there shall be an Office of the High Court of Chancery in *Ireland*, to be called "the Record and Writ Office," and the Lord Chancellor and the Master of the Rolls shall cause to be provided at the Four Courts in the City of *Dublin* suitable Chambers for the Purposes of the said Office.

Transfer of Records, &c.

5. From and after the Commencement of this Act all Records, Pleadings, Affidavits, and other Documents in the Custody or Charge of the Officers of the said abolished Offices, and all their Bill Books, Cause Books, Indexes, and other Books in respect of the said abolished Offices, shall be transferred to the said Record and Writ Office, and shall be there kept in Custody of the Clerk of Records and Writs, unless and until other Provision shall be made by Parliament for the Custody of any of said Documents not ordinarily required for the Business of the Court.

Business of abolished Offices to be performed in the Record and Writ Office.

6. All the Business which is now performed and transacted in the following Offices of the said Court, that is to say, in the Affidavit Office, in the Office of Writs and Appearances, in the Office of the Deputy Keeper of the Rolls, and in the Recognizance Office, and the Duties which are now discharged by the Deputy Keeper of the Rolls, and by the Clerk and Assistant Clerk of Enrolments, the Clerk and Assistant Clerk of Pleadings in the Office of the Deputy Keeper of the Rolls, and by the Clerk and Assistant Clerk in the Registrar's Office in respect of Reports and Accounts there kept, shall, from and after the Commencement of this Act, be performed, transacted, and discharged in the said Record and Writ Office; and the Notice Department in the Office of Appearances and Writs shall continue as at present constituted, and shall form a Part of the said Record and Writ Office, and shall be under the Control and Supervision of the Clerk of Records and Writs; and all Pleadings, Affidavits, Recognizances, Reports, Accounts, Notices, and other Documents which according to the Practice of the Court are now filed or lodged in any of the said abolished Offices shall be filed, lodged, and kept in the said Record and Writ Office; and all the

the Duties and Authorities which if this Act had not been passed could have been performed and exercised by the Officers of the said abolished Offices shall be performed and exercised by the Officers of the said Record and Writ Office in such Manner as shall be appointed by any General Order made as by this Act is provided.

Appointment of Officers of Record and Writ Office.

7. There shall be a Clerk of Records and Writs and Two Assistants to such Clerk in the Record and Writ Office, and the said Clerk and his Assistants shall respectively discharge all such Duties as shall be appointed by any General Order made as by this Act is provided, and the said Officers shall have to aid them in the Discharge of their said Duties the several Clerks set forth in the First Schedule to this Act annexed, and so many Scrivenery Clerks as the Lord Chancellor with the Consent of the Commissioners of Her Majesty's Treasury shall appoint.

New Establishment to be formed from Persons employed in abolished Offices.

8. And whereas it is expedient that the new Establishment of Clerk of Records and Writs Assistants and Clerks hereby created shall in the first instance consist of Persons employed in the Offices hereby abolished: Be it therefore enacted, That *John Reilly* Esquire, Deputy Keeper of the Rolls, shall be and he is hereby appointed Clerk of Records and Writs, and *Maziere J. Brady* Esquire, Clerk of Affidavits, shall be and he is hereby appointed First Assistant in said Record and Writ Office, and they shall hold their respective Offices by the same Tenure as they hold their said Offices by this Act abolished, and the Lord Chancellor, with the Concurrence of the Master of the Rolls and Vice Chancellor, or One of them, shall tender to the Clerks and Assistant Clerks of the Offices by this Act abolished, according to their respective Rank and Seniority at the Time of the passing of this Act, if competent for the permanent Discharge of such Duties, the Option of accepting the Offices of Second Assistant and First and Second Class Clerk, and any such Clerk or Assistant Clerk of less than Twenty-five Years Service who shall decline to accept any Office tendered to him as aforesaid shall be deemed to have resigned his said Office, and shall be entitled to receive such retiring Allowance as is provided by Section Twenty-eight of this Act for Officers of the Court of Chancery; and if there shall not be found amongst the Clerks and Assistant Clerks whose Offices are hereby abolished a sufficient Number of Persons to fill the Places of Clerks in said Record and Writ Office, the Lord Chancellor and the Master of the Rolls shall alternately, beginning with the Master of the Rolls, appoint a fit Person or fit Persons to fill such Place or Places: Provided always, that any Clerk or Assistant Clerk of any of the said

said abolished Offices appointed to any of the said Offices by this Act created in manner aforesaid shall hold his Office by the same Tenure as he held his former Office, and shall be entitled to receive a Salary not less than that which he enjoyed in virtue of his said former Office, and such Salary shall be paid to him out of the like Funds and in like Manner as the Salaries payable under this Act; and any Instrument by which any Person employed in any of the said abolished Offices shall be appointed to any of the above-mentioned Offices shall not be chargeable with any Stamp Duty.

How Vacancies in Record and Writ Office to be filled up.

9. When any Vacancy happens in the Office of Clerk of Records and Writs, the Master of the Rolls shall appoint a fit Person to fill the said Vacancy; and when any Vacancy happens in the Office of First Assistant in the said Record and Writ Office, the Lord Chancellor shall appoint a fit Person to fill the said Vacancy; and when any Vacancy happens in the Office, of Second Assistant in said Record and Writ Office, the Master of the Rolls shall appoint a fit Person to fill the said Vacancy; and when any Vacancy happens in the Office of First-class Clerk, the Lord Chancellor shall promote thereto the Clerk of the Second-class next in Seniority who shall be competent to fill the said Vacancy; and when any Vacancy happens in the Office of Second-class Clerk, the Lord Chancellor and the Master of the Rolls shall alternately, beginning with the Master of the Rolls, appoint a fit Person to fill the said Vacancy; and when any Vacancy happens in the Office of Clerk in the Notice Department, the Master of the Rolls shall appoint a fit Person to fill the said Vacancy.

Tenure of Office.

10. Every Person appointed to any Place under this Act, save such Persons as shall have held Offices by this Act abolished, shall hold Office by the same Tenure as an Officer serving in an established Capacity in the permanent Civil Service of the State, but shall be removable by an Order of the Lord Chancellor, with the Concurrence of the Master of the Rolls or the Vice Chancellor, stating the Cause for such Removal: Provided always, that no Person shall be appointed to the Office of Second-class Clerk unless he shall have received a Certificate of Fitness from the Civil Service Commissioners, or shall have been employed in any of the Offices by this Act abolished.

Salaries of Officers.

11. There shall be paid to the said Clerk of Records and Writs, and to his Assistants, and to the said Clerks of the said Record and Writ Office appointed under this Act in the first instance, and to their Successors, the several and respective Salaries in that Behalf set forth in the Second Schedule to this Act annexed.

12. It

Power to Lord Chancellor to transfer Scrivenery Clerks from Registrar's Office to Record and Writ Office.

12. It shall be lawful for the Lord Chancellor from Time to Time to transfer any Person employed as a Scrivenery Clerk in the Registrar's Office of the said Court of Chancery, whose Services in the said Office may be dispensed with, to such Situation of a similar Nature in the said Record and Writ Office as he shall consider such Person best qualified to fill; and any such Person who shall refuse to discharge the Duties of the Situation to which he shall have been transferred as aforesaid shall be liable to Dismissal by the Lord Chancellor.

Officers, &c. of abolished Offices to continue to be Officers, &c. of the Court of Chancery, and to be entitled to receive their present Salaries if they discharge Duties imposed upon them.

13. Every Person who on the Thirtieth Day of *September* One thousand eight hundred and sixty-seven shall hold any Office or Situation in any Office of the said Court of Chancery which is by this Act abolished, and who, being of more than Twenty-five Years Service, shall not have accepted, or being of less than Twenty-five Years Service shall not have been tendered the Option of accepting, any Office or Situation in the said Record and Writ Office, shall continue to be deemed an Officer of the Court of Chancery, and shall hold by the same Tenure, and be entitled to the like Salary and Superannuation Allowance (if any), as if the said Office or Situation had not been abolished, and shall, unless and until he shall retire pursuant to the Provisions of the "Court of Chancery (*Ireland*) Regulation Act, 1850," discharge such Duties suitable to his Position as an Officer of said Court connected with the Business of the said Court of Chancery, or the Arrangement and Classification of Records in any Public Record Office, or other Place provided for the keeping of Records by Parliament, as shall be assigned to him by the Lord Chancellor, or, at the Instance of the Lord Chancellor, by the Head of such Public Record Office respectively; and every such Person who shall decline to discharge such Duties when called upon to do so shall forfeit his Right to any Benefits to which he would otherwise be entitled under this Act, or the "Court of Chancery (*Ireland*) Regulation Act, 1850."

Appointment of Deputy in case of Absence of Clerk of Records and Writs.

14. In case of Absence from Illness or other reasonable Cause it shall be lawful for the said Clerk of Records and Writs to appoint a Deputy, such Deputy and also the Occasion for such Appointment being first approved by the Lord Chancellor; and in case the said Clerk of Records and Writs, being absent as aforesaid, shall neglect to appoint such Deputy, or to renew the Appointment of a Deputy, the Lord Chancellor may appoint a Deputy, and every Deputy to be appointed as aforesaid shall have all the Powers and Authorities of his Principal, and shall be paid such Sum out of the Salary of his Principal as the Lord Chancellor

shall direct; and during Vacations the whole of the Business of the Record and Writ Office may be performed by such of the Officers of the said Office and upon such Terms as the Lord Chancellor shall by any Order direct.

Clerk of Records and Writs and Assistants to attest Copies of Affidavits.

15. The said Clerk of Records and Writs and the said Assistants to the said Clerk shall cause every Copy of any Affidavit to be duly compared with the Original from which it shall be made before he shall attest the same, and shall be responsible for the Accuracy of every Copy so attested by him.

The Clerk of Records and Writs, &c. may administer Oaths and take Affirmations.

16. The said Clerk of Records and Writs and the said Assistants to the said Clerk may administer the Oaths and take the Affirmations and Attestations of Honour which they may from Time to Time be required to administer and take.

Persons swearing before such Officers to be subject to Penalties for Perjury.

17. All Persons swearing, affirming, or attesting before the said Clerk of Records and Writs, or any Assistant to the said Clerk, under this Act, shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false Swearing or Perjury contained therein as if the Matter sworn, affirmed, or attested had been sworn, affirmed, or attested before the High Court of Chancery.

Officers and Clerks not to take Gratuities.

18. If the Clerk of Records and Writs, or any Assistant to the said Clerk, or any Person employed in the said Record and Writ Office, shall, for anything done or pretended to be done relating to his Office or Employment under this Act, or under Colour of doing anything relating to his said Office or Employment, wilfully demand or accept, or appoint or allow any Person whatsoever to take for him or on his Account, or for or on account of any Person by him named, any Fee, Gift, Gratuity, or Emolument, or anything of Value, other than what is allowed or directed to be taken by him, the Person so offending may, upon Complaint made to the Lord Chancellor, be removed from any Office or Employment he may hold under this Act.

Persons employed under this Act not to practise as Barristers, &c.; and Solicitors, &c. accepting Office to be struck off the Rolls.

19. No Person while he holds any Office or Employment in the Record and Writ Office shall practise as a Barrister or as a Solicitor or Attorney; and every Solicitor or Attorney who shall accept any Office or Employment under this Act shall be struck off the Roll of Solicitors of the High Court of Chancery, and off the Roll of Attorneys of any of Her Majesty's Courts of Record at *Dublin* on which his Name may be.

20. It

Power to Vice Chancellor to appoint "Clerk in Court."

20. It shall be lawful for the Vice Chancellor from Time to Time to appoint a competent Writer of Shorthand to the Office of "Clerk in Court," whose Duty it shall be to attend the Vice Chancellor's Court for the Purpose of taking down and transcribing all such Evidence, Statements, and Matters as the Vice Chancellor shall direct, and for the Purpose of reading all Documents necessary to be read in Court, and discharging such other Duties as shall be prescribed by the Vice Chancellor.

Future Clerks in Court in Lord Chancellor's Court or Rolls Court to be practised Shorthand Writers.

21. When any Vacancy shall occur in the Office of "Clerk in Court" in the Lord Chancellor's Court or the Rolls Court, it shall be lawful for the Lord Chancellor and Master of the Rolls respectively to appoint a competent Writer of Shorthand to fill such Vacancy; and the present "Clerk in Court" in the Rolls Court, and every Person appointed a "Clerk in Court" as aforesaid after the Commencement of this Act, shall, in addition to the Duties hitherto performed by the Person filling such Office, take down and transcribe all such Evidence, Statements, and Matters as the Judge in whose Court he shall attend shall direct.

Salaries of Clerks in Court.

22. There shall be paid to the present Clerk in Court in the Rolls Court, and to any Person appointed after the Commencement of this Act to the Office of "Clerk in Court" in the Lord Chancellor's Court, Rolls Court, or Vice Chancellor's Court, the net yearly Salary of Four hundred Pounds, and every such Clerk in Court shall hold his Office by the same Tenure as an Officer serving in an established Capacity in the permanent Civil Service of the State, but shall be removable by the Judge to whose Court he shall be attached.

Power to increase Salaries of Clerks in Court.

23. After the Expiration of Two Years from the passing of this Act, it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall so think fit, to increase the Salaries of all or any of the Clerks in Court appointed under this Act to any Sum they may think fit, not exceeding the yearly Salary of Six hundred Pounds for each such Clerk, upon the Recommendation of the Judge to whose Court the Clerk shall be attached.

Office of Second Examiner-in-Chief abolished.

24. The Office of Second Examiner-in-Chief in the said Court of Chancery, now vacant, shall not be filled up, and the same is hereby abolished, and the Duties of the said Office shall be discharged, as at present, by the Examiner-in-Chief; and all Records and Documents belonging to the said Office shall be transferred to the said Record and Writ Office, and shall be there kept in the Custody of the said Chief Clerk of Records and Writs unless and until

until other Provision shall be made by Parliament for the Custody of any of the said Records and Documents.

Office of Supernumerary Examiner abolished.

25. When any Vacancy shall occur in the Office of Supernumerary Examiner to the Receiver Master of the said Court of Chancery, such Vacancy shall not be filled up, and the Duties of such Office shall be discharged by such of the Officers of the said Master and in such Manner as the said Master, with the Approbation of the Lord Chancellor, shall order and direct; and any Person appointed to any Office or Situation in the Registrar's Office after the Commencement of this Act shall not be entitled to claim any Right of Succession to any other Office or Situation in the said Registrar's Office.

Office of Third Taxing Master abolished.

26. There shall be only Two Taxing Masters of the said Court of Chancery, and the Office of Third Taxing Master of the said Court of Chancery, now vacant, shall be and the same is hereby abolished, and there shall be paid to each Taxing Master the yearly Salary of One thousand Pounds.

Vice Chancellor may appoint a Trainbearer, and Lord Justice of Appeal a Trainbearer and Tipstaff.

27. It shall be lawful for the Vice Chancellor to appoint a Trainbearer at a yearly Salary of One hundred Pounds, and for the Lord Justice of Appeal to appoint a Trainbearer at a yearly Salary of One hundred Pounds, and a Tipstaff at a yearly Salary of Fifty Pounds.

As to Superannuation Allowances.

28. Any Person hereafter appointed an Officer of any Office in the said Court of Chancery who shall resign his Office shall be entitled to receive such Superannuation Allowance as the Commissioners of Her Majesty's Treasury shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners shall take into consideration the whole Period during which any such Person shall have been permanently engaged in the said Office or in any other Public Office, and shall proceed according to the Principles laid down by the "Superannuation Act, 1859;" and all Sums and Allowances which shall be so awarded and granted under the Authority aforesaid shall be paid and payable, and be charged and chargeable, in the same Way as is provided in respect of the Salaries of the said Officers: Provided always, that the present Taxing Masters of the said Court and also any Person who shall have been employed in any of the Offices of the said Court of Chancery by this Act abolished, and who is or shall be appointed to any Office in said Court by or under this Act, shall be entitled to the same Retiring or Superannuation Allowance, and upon the same Conditions under the Court of Chancery,

Chancery, *Ireland*, Regulation Act, 1850, as if his said Office had not been hereby abolished, and in case the Salary of the Office under this Act which he shall hold at the Time of his Retirement or Superannuation shall exceed the Salary of such abolished Office, then such Officer shall, in case he shall have served not less than Three Years in such new Office, be entitled to receive such further Superannuation Allowance in respect of such Excess as the said Commissioners shall think proper to direct, and same shall be ascertained and awarded in manner herein-before mentioned.

In awarding Retiring Allowance Service in other Offices may be reckoned.

29. It shall be lawful for the Commissioners of Her Majesty's Treasury, in awarding Retiring Allowances to the Officers of the Court of Chancery under "The Court of Chancery (*Ireland*) Regulation Act, 1850," to take into consideration the Period, if any, during which such Officers may have served in any Office under the Lord Chancellor, or in the Superior Courts of Common Law in *Ireland*, or in the Court of Bankruptcy and Insolvency, or the late Court of Bankruptcy or Court for the Relief of Insolvent Debtors in *Ireland*, in such Manner as they shall think proper.

Orders may be made for carrying Act into execution.

30. The Lord Chancellor, with the Advice and Concurrence of the Master of the Rolls and Vice Chancellor, or either of them, may make such Orders as he shall think fit, as well in relation to any Matter connected with the said abolished Offices, and not hereby otherwise provided for, as for carrying the Provisions of this Act into execution, and with the Consent of the Commissioners of Her Majesty's Treasury for regulating the Amount of Fees payable in the said Record and Writ Office and elsewhere under this Act, and may also make such other Rules and Orders, not being inconsistent with the Enactments and Provisions of this Act, as may be required for the Performance of the Business heretofore done in the said abolished Offices, and for establishing and settling the Practice of the Office hereby created.

Orders under the Act may be varied.

31. Any Order or Orders for the Time being made under this Act may from Time to Time be annulled, altered, or varied, and new Orders may from Time to Time be made for any of the Purposes of this Act, by the Lord Chancellor, with the like Advice, Concurrence, and Consent.

Act not to affect other Powers of Lord Chancellor.

32. Provided always, and be it enacted, That nothing in this Act contained shall be construed to affect the general Powers vested in the Lord Chancellor either solely or otherwise.

33. Whereas

Precedence of Lord Justice.

33. Whereas by the Act of the Nineteenth and Twentieth Years of *Victoria* the Lord Justice of the Court of Appeal in Chancery in *Ireland* is entitled to Rank and Precedence next after the Lord Chief Baron of the Court of Exchequer in *Ireland*, except when the said Lord Chief Justice shall have exercised the Office of Lord High Chancellor of *Ireland*, then and in that Case the said Lord Justice is entitled to rank next after the Chancellor for the Time being: Be it enacted, That from and after the passing of this Act the said Lord Justice, whether he has exercised the Office of Lord High Chancellor of *Ireland* or not, shall have Rank and Precedence only next the Lord Chief Baron of the Court of Exchequer in *Ireland*.

Holidays in Courts of Law to be Holidays in Court of Chancery.

34. In addition to the Days now by Law kept as Holidays in the Court of Chancery and the Offices thereof, the several Days directed by "The Common Law Procedure Amendment Act, 1853," to be kept as Holidays in the Superior Courts of Law and the Offices thereof, shall be kept and observed as Holidays in the Court of Chancery and the Offices thereof.

PART II.

Officers of the Superior Courts of Common Law in *Ireland*.

Enumeration of abolished Offices.

35. From and after the Commencement of this Act the Offices of the Pleading Department, the Record Department, and the Rules Department, except the Office of Clerk of the Rules, in each of the said Superior Courts of Common Law, the Offices of Principal Assistant and Clerk to each of the Masters of the said Superior Courts of Common Law, the Office of Revenue Assistant in the Court of Exchequer, and the Offices of General Purposes Clerks in each of the said Superior Courts of Common Law, shall be and the same are hereby abolished.

Duties of Officers, &c. of abolished Offices to be performed by Officers and Clerks appointed under Provisions of this Act.

36. From and after the Commencement of this Act the Duties and Authorities which, if this Act had not been passed, could have been performed and exercised by the Officers, Assistants, and Clerks of the said abolished Offices, shall be performed and exercised by the Officers and Clerks appointed under the Provisions of this Act in such Manner as the Judges of the said Superior Courts of Common Law shall, by any General Order made as by this Act is provided, from Time to Time direct.

37. From

As to Appointment of new Officers.

37. From and after the Commencement of this Act there shall be in each of the said Superior Courts of Common Law, to conduct the Civil Business thereof beside the Master and Clerk of the Rules, the following Officers and Clerks; that is to say, a Pleadings and Record Assistant, a Chief Clerk, and Two First-class, Two Second-class, and Two Third-class Clerks; and the said Officers and Clerks shall respectively discharge all such Duties as they shall from Time to Time be directed by any General Order made as by this Act is provided by the Judges of the said Superior Courts of Common Law, and such Officers and Clerks shall hold their respective Offices by the same Tenure as an Officer serving in an established Capacity in the permanent Civil Service of the State, but shall be removable by Order of the Judges of the Court to which they shall be respectively attached, stating the Cause for such Removal.

Proviso as to present Masters.

38. Whereas additional Duties will by this Act be imposed upon the present Masters of the Courts of Queen's Bench and Common Pleas, and it is expedient that Compensation for the same shall be made to them: Be it therefore enacted, That in case the present Salaries and Emoluments of the said present Masters, or either of them, shall not amount in the whole to the annual Sum of One thousand four hundred Pounds, there shall be paid to such Masters or Master while holding such Office such further annual Sum as, together with their or his present Salary and Emoluments, shall amount for each to the full Sum of One thousand four hundred Pounds a Year.

Salaries of Masters and Officers.

39. Save as is by the next preceding Section provided, there shall be paid to the Master of each of the said Superior Courts of Common Law the yearly Salary of Twelve hundred Pounds, and to the Clerk of the Rules and Officers of each of the said Superior Courts of Common Law, and to any Crier hereafter appointed in any of the said Courts, the several and respective Salaries in that Behalf set forth in the Schedule (A.) to this Act annexed.

New Establishments to be formed from old.

40. And whereas it is expedient that the new Establishments of Pleadings and Record Assistant, Chief Clerk, and First, Second, and Third Class Clerks, should in the first instance consist of Persons employed in the Offices hereby abolished: Be it therefore enacted, That the Judges of each of the said Superior Courts of Common Law shall tender to the Officers, Assistants, and Clerks of the Offices by this Act abolished in their Court of less than Forty Years Service, according to their respective Rank and Seniority at the Time of the passing of this Act, if they shall deem them competent

petent for the permanent Discharge of such Duties, the Option of accepting the Offices of Pleadings and Record Assistant, of Chief Clerk, and of First, Second, or Third Class Clerk; and any such Officer, Assistant, or Clerk of less than Twenty-five Years Service who shall decline to accept any Office tendered to him as aforesaid shall be deemed to have resigned his said Office, and shall be entitled to receive such Retiring Allowance as is herein-after provided: Provided always, that any Officer, Assistant, or Clerk of any of the said abolished Offices appointed to any of the said Offices by this Act created in manner aforesaid shall hold his Office by the same Tenure as he held his former Office, and shall be entitled to receive a Salary not less than that which he enjoyed in virtue of his said former Office, and such Salary shall be paid to him out of the like Funds and in like Manner as the Salaries payable under this Act; and any Instrument by which any Person employed in any of the said abolished Offices shall be appointed to any of the above-mentioned Offices shall not be chargeable with any Stamp Duty.

Vacancies in Offices of Pleading and Record Assistant, and Chief Clerk, to be filled by Judges.

41. When a Vacancy happens in the Office of Pleadings and Record Assistant, or of Chief Clerk, the Chief Justices of the Court of Queen's Bench and the Court of Common Pleas respectively as to Vacancies occurring in those Courts respectively, and the Chief Baron of the Court of Exchequer as to Vacancies occurring in that Court, shall appoint such Person filling an Office in the said Court as, having regard to the existing Rights of Succession of the present Officers, to Length of Service, and Competency, they shall consider most fit to fill the Vacancy.

Vacancies in Offices of First, Second, and Third Class Clerks to be filled by Judges.

42. When a Vacancy happens in the Office of First or Second Class Clerk the Chief Justices of the Court of Queen's Bench and the Court of Common Pleas respectively as to Vacancies occurring in those Courts respectively, and the Chief Baron of the Court of Exchequer as to Vacancies occurring in that Court, shall appoint such Clerk of the Second or Third Class in the said Court as, having regard to the existing Rights of Succession of the present Officers, to Length of Service, and Competency, they shall consider most fit to fill the Vacancy; and when any Vacancy happens in the Office of Third-class Clerk the Chief Justices of the Court of Queen's Bench and the Court of Common Pleas respectively as to Vacancies occurring in those Courts respectively, and the Chief Baron of the Court of Exchequer as to Vacancies occurring in that Court, shall appoint a fit Person to fill the Vacancy: Provided always, that no Person shall be appointed to the Office of Third-class Clerk unless he shall have received a Certificate of Fitness from the Civil Service

Service Commissioners, or shall have been employed in any of the Offices by this Act abolished.

Officers of abolished Offices to continue Officers of Court to which they shall have been attached, and to receive Salaries if they discharge Duties imposed upon them.

43. Any Officer, Assistant, or Clerk of less than Forty Years Service who on the Thirtieth of *September* One thousand eight hundred and sixty-seven shall hold any Office or Situation in any of the Superior Courts of Common Law which is by this Act abolished, and who being of more than Twenty-five Years Service shall not have accepted, or being of less than Twenty-five Years Service shall not have been tendered the Option of accepting, any of the Offices in said Courts by this Act created, shall continue to be deemed an Officer of the Court in which he shall have held such Office or Situation, and shall hold by the same Tenure, and be entitled to the like Salary, as if the said Office or Situation had not been abolished, and shall, unless and until he shall retire pursuant to the Provisions of this Act, discharge such Duties suitable to his Position as an Officer of the Court connected with the Business of the said Court, or the Arrangement and Classification of Records in any Public Record Office or other Place provided for the keeping of Records by Parliament, as shall be assigned to him by the Judges of the said Court, or by the Head of such Public Record Office, at the Instance of such Judges respectively; and every such Person who shall decline to discharge such Duties when called upon to do so shall forfeit his Right to any Benefits to which he would otherwise be entitled under this Act.

So much of 7 & 8 Vict. c. 107. as is inconsistent with this Act repealed, and such Parts as are applicable to extend to it.

44. So much of an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to regulate and reduce the Expenses of the Offices attached to the Superior Courts of Law in* Ireland *payable out of the Consolidated Fund*, as shall be inconsistent with any of the Clauses or Provisions of this Act, and also Section Eight of the same Act, shall be and the same are hereby repealed; and so many and such Parts of the Clauses and Enactments of the said recited Act as may be applicable to the several Officers and Clerks appointed under this Act shall extend and be construed to extend and be applied to such Officers and Clerks respectively as fully and effectually as if such Clauses and Enactments had been repeated and re-enacted in this Act.

Pleadings and Record Assistant and certain other Clerks may administer Oaths, &c.

45. It shall be lawful for the said Pleadings and Record Assistant, Chief Clerk, and Two First-class Clerks in each of the said Superior Courts of Common Law to take Affidavits or Affirmations in all Matters relating to the Business of the said Courts respectively, and to administer the necessary Oaths and Affirmations for

 that

that Purpose; and all such Oaths, Affidavits, and Affirmations shall be of the same Force, Validity, and Effect, and shall and may be filed and used and acted upon respectively as fully and effectually to all Intents and Purposes whatsoever, as if the same had been sworn or affirmed before the said Courts, or all or any of the Judges thereof respectively; and any Person who shall wilfully or corruptly swear or affirm anything false in any such Affidavits or Affirmations shall be subject to all Pains, Penalties, Punishments, and Disabilities for wilful and corrupt Perjury, in like Manner in all respects as if such Affidavits had been made in any of the said several Courts, or before all or any of the Judges thereof respectively.

Orders may be made and varied for carrying Act into execution.

46. The Judges of the said Superior Courts of Common Law may make such Orders as they shall think fit as well in relation to any Matter connected with the said abolished Offices as for carrying the Provisions of this Act into force, and may make such other Rules and Orders, not being inconsistent with the Provisions of this Act, as they shall think fit, for the Performance of the Business of the said abolished Offices, and for settling the Practice in the Offices of the said Superior Courts of Common Law, and may annul, alter, or vary such Orders as they shall think fit: Provided always, that no such Order shall take effect unless and until it shall be approved and signed by Two of the Chief Judges and Five of the Puisne Judges of the said Superior Courts of Common Law.

Fees now payable to Masters to be henceforth received by Stamps.

47. From and after the Commencement of this Act, all and every the Fees authorized and made payable under and by virtue of the several Acts set forth in the Schedule (B.) to this Act annexed shall no longer be received in Money, but by a Stamp denoting the Amount of the Fee which would otherwise be payable; and where any Fee shall be payable in respect of any Document, such Stamp shall, at the Expense of the Party liable to pay the Fee, and in such Manner and under such Regulations as shall by any General Order made as by this Act directed, be stamped on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or engrossed, or which may be otherwise used in reference to such Proceedings.

Officers of Court of Queen's Bench (Crown Side) not to receive

48. From and after the Commencement of this Act, no Officer employed on the Crown Side of the Court of Queen's Bench in *Ireland* shall be entitled to receive and retain for his own Use any Fee, Emolument, or Reward whatsoever; and all and every the Fees payable for or by reason of any Matter or Thing done or

to

to be done by the said Clerk of the Crown in his said Office, or in anywise appertaining to the Business thereof, now received in Money, shall no longer be received in Money, but by a Stamp denoting the Amount of the Fee which otherwise would be payable; and where any Fee shall be payable in respect of any Document, such Stamp shall, at the Expense of the Party liable to pay the Fee, and in such Manner and under such Regulations as shall be directed by any General Order under this Act, be stamped or affixed on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or engrossed, or which may be otherwise used in reference to such Proceedings. Fees otherwise than by Stamps.

49. All Stamps by this Act directed to be substituted for Fees in any of the said Superior Courts of Common Law, or in the Crown Office of the said Court of Queen's Bench, shall be issued by and shall be under the Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and Matters contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto. Stamps to be issued by Commissioners of Inland Revenue.

50. From and after the Commencement of this Act, there shall be paid to the Clerk of the Crown of the Court of Queen's Bench in *Ireland*, in lieu of any Salary, Fees, or Emoluments to which he may now be entitled under the Provisions of any Act of Parliament or otherwise howsoever, the yearly Salary of Eight hundred Pounds. Salary of 800*l.* to the Clerk of the Crown.

51. From and after the Commencement of this Act, there shall be paid to any Person employed as Chief Clerk to the said Clerk of the Crown appointed after the passing of this Act the yearly Salary of Two hundred Pounds, to be increased every Year of Service by the annual Sum of Ten Pounds until the yearly Salary of such Chief Clerk shall amount to the yearly Salary of Three hundred Pounds: Provided always, that the present Chief Clerk to the said Clerk of the Crown shall, so long as he shall continue in the said Office, be paid the yearly Salary of Three hundred Pounds in lieu of any Salary, Fees, or Emoluments to which he may be now entitled under the Provisions of any Act of Parliament or otherwise howsoever. Salary of the Chief Assistant Clerk.

52. The said Clerk of the Crown may, in addition to the said Chief Clerk, employ a Clerk, removable at his Pleasure, to aid him in Power to Clerk of the Crown to employ an

additional Clerk.

in the Discharge of the Duties of his said Office; and there shall be paid to such Clerk the yearly Salary of One hundred Pounds, to be increased every Year of Service by the annual Sum of Ten Pounds until the yearly Salary of such Clerk shall amount to the yearly Salary of One hundred and fifty Pounds; and the Clerk at present in the Employ of the said Clerk of the Crown shall be the first such Clerk, and shall, so long as he shall continue in said Office, be paid the said full yearly Salary of One hundred and fifty Pounds.

Power to Chief Clerk to take Affidavits.

53. It shall be lawful for the Chief Clerk to the said Clerk of the Crown to take Affidavits, Affirmations, or Attestations upon Honour in all Matters relating to the Business of the Crown Side of the Court of Queen's Bench in *Ireland*, and to administer the necessary Oaths, Affirmations, or Attestations for that Purpose; and all such Oaths, Affidavits, Affirmations, and Attestations shall be of the same Force, Validity, and Effect, and shall and may be proceeded upon and dealt with in all respects, and to all Intents and Purposes, as if the same had been taken, made, or administered by or before the said Court, or any of the Judges thereof, or by or before the said Clerk of the Crown; and any Person who shall wilfully or corruptly swear, affirm, or attest anything false in any such Affidavits, Affirmations, or Attestations so taken or administered by the said Chief Clerk shall be subject to all Pains, Penalties, Punishments, and Disabilities for wilful and corrupt Perjury, in like Manner as if such Affidavits, Affirmations, or Attestations had been made or taken by or in the said Court of Queen's Bench, or any of the Judges thereof, or by or before the said Clerk of the Crown aforesaid.

Power to Chief Clerk to sign Documents.

54. During the temporary Absence of the said Clerk of the Crown the affixing or signing the Name of the said Clerk of the Crown by the said Chief Clerk to all Orders, Writs, Pleadings, Instruments, and Proceedings, upon his being duly authorized in that Behalf by the said Clerk of the Crown so to do, but not otherwise, shall be as good, valid, and effectual as if the same were respectively affixed or signed or done in person by the Clerk of the Crown aforesaid.

Additional Salary to Registrar of Consolidated Nisi Prius Court.

55. There shall be paid to the present Registrar or Clerk of Nisi Prius for the Consolidated Nisi Prius Court in *Ireland*, and to his Successors in the said Office, in addition to the annual Salary which is now payable to such Officer, the annual Sum of One hundred Pounds.

56. Any

As to Superannuation Allowances.

56. Any Master, Clerk of the Rules, or other Officer of any of the said Superior Courts of Common Law who shall resign his Office shall be entitled to receive such Superannuation Allowance as the Commissioners of Her Majesty's Treasury shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners shall take into consideration the whole Period during which any such Person shall have been permanently employed in the said Office or in any other Public Office, and shall proceed according to the Principles laid down by "Superannuation Act, 1859;" and any Officer, Assistant, or Clerk of any Office by this Act abolished who shall have served for a Period of not less than Forty Years shall be entitled to receive during his Life an Annuity equal to his Salary at the Time of the Abolition of his Office; and all Sums and Allowances which shall be so awarded and granted under the Authority aforesaid shall be paid and payable and be charged and chargeable in the same Way as is provided in respect of the Salaries of the said Officers: Provided always, that in case *Arthur Bushe* Esquire, Master of the Court of Queen's Bench, shall for any Cause retire from his said Office, he shall be entitled to receive yearly and every Year during his Life the Sum of Three hundred and eighty-four Pounds Twelve Shillings and Threepence provided for him by the said Act of the Seventh and Eighth Years of the Reign of Her present Majesty, in addition to any Sum the Commissioners of Her Majesty's Treasury may award to him by way of Superannuation Allowance in respect of his said Office of Master.

A. Bushe, Esq., Master of Court of Queen's Bench, upon Retirement, to receive 384*l.* 12*s.* 3*d.* in addition to Superannuation Allowance.

Salaries.

Funds for Payment of Salaries.

57. The Salaries of the Masters of the said Superior Courts of Common Law shall be charged upon and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Salary of the present Clerk of the Crown of the said Court of Queen's Bench shall, so long as he shall hold such Office, be also charged upon and paid out of the said Consolidated Fund; and all other Salaries under Parts I. and II. of this Act shall be paid out of such Funds as Parliament shall from Time to Time provide for such Purpose.

Payment of Salaries.

58. All Salaries under Parts I. and II. of this Act shall grow due from Day to Day, but shall be paid on the usual Quarter Days; and if any Person holding any of the said Offices shall die, resign, or be removed from the same, the Executor or Administrator of the Person so dying, or the Person so resigning or being removed, shall

be entitled to receive a proportional Part of his Salary for the Time that such Person shall have lived or executed his Office since the last Payment.

Power to Treasury in certain Cases to grant Retiring Allowances to Officers whose Office is abolished.

59. In case it shall at any Time hereafter be made appear to the Satisfaction of the Commissioners of Her Majesty's Treasury, upon the Representation of the Lord Chancellor or of the Judges of the Court of Common Law, as the Case may be, that there are not any Duties in which any Examiner, Assistant Clerk, or Registrar to any of the Masters in Ordinary of the Court of Chancery whose Office is abolished by the Court of Chancery (*Ireland*) Act (1867), or any Clerk or Assistant Clerk of the said Court of Chancery, or any Officer, Assistant, or Clerk of any of the Officers of the Superior Courts of Common Law whose Office is by this Act abolished, and who shall not be appointed to any other Office in said Courts respectively, or entitled to retire immediately under the Provisions of this Act, can be suitably employed, it shall be lawful for the said Commissioners, if they shall so think fit, to permit any such Person to retire from his Service, and to grant to him such special annual Allowance and in such Manner as by the Seventh Section of the Superannuation Act, 1859, is provided in case of Persons whose Offices have been abolished.

Power to Treasury to increase Salary of certain Officers in Court of Bankruptcy and Insolvency.

60. And whereas by the Forty-fourth Section of "The *Irish* Bankrupt and Insolvent Act, 1857," it was (amongst others) enacted, that it should be lawful for the Lord Chancellor to direct that a Salary not exceeding Two hundred Pounds *per Annum* be paid to the Deputy Assistant to the Chief Registrar: And whereas by the Forty-sixth Section of the said Act it was (amongst others) enacted, that the Salaries of the Clerks or Assistants in the said Section mentioned should not in any Case exceed collectively the annual Sum of Four hundred Pounds: And whereas it is expedient that there should be Power to increase the said Salaries in the event of their being deemed insufficient Remuneration for the Duties which such Deputy Assistant Clerks or Assistants are required to perform: Be it therefore enacted, That it shall be lawful for the Judges of the Court of Bankruptcy and Insolvency in *Ireland*, if it shall appear to them that the Salary of the said Deputy Assistant or any of the said Clerks or Assistants is insufficient, with the Approval of the Lord Chancellor, to represent the Circumstances to the Commissioners of Her Majesty's Treasury, who are hereby empowered to increase such Salaries to such Amounts as to them shall seem fit.

61. The

Courts of Law Officers (Ireland).

61. The Commissioners of Her Majesty's Treasury shall settle and adjust the Amount to be allowed to the present Registrar of Judgments in *Ireland*, so long as he shall hold the said Office, as Compensation for the Loss of the Fees of which he will be deprived by the Operation of this Act, on an Average of Five Years prior to the passing of this Act, and the Sum so awarded shall be paid out of Monies to be voted by Parliament. Compensation to Registrar of Judgments.

SCHE-

SCHEDULES referred to and made Part of the foregoing Act.

SCHEDULE I.

Setting forth the Number of Clerks for the Record and Writ Office.

Three First-class Clerks.
Three Second-class Clerks.
Four Clerks in the Notice Department.

SCHEDULE II.

Setting forth the yearly Salaries payable to the Persons appointed in the first instance Officers of the Record and Writ Office, and to their Successors respectively.

Office.	Salaries of Officers appointed in the first instance.	Salaries of Persons afterwards appointed.
Clerk of Records and Writs	J. Reilly, Esq., 1,300*l.*	1,000*l.*
First Assistant	M. J. Brady, Esq., 800*l.*	800*l.*
Second Assistant	600*l.*	600*l.*
First-class Clerks	300*l.*, to be increased by 15*l.* each Year of Service up to 400*l.*	Same as in next Column.
Second-class Clerks	200*l.*, to be increased by 10*l.* each Year of Service up to 300*l.*	Same as in next Column.
Clerks in Notice Department.	185*l.*	200*l.*
	175*l.*	150*l.*
	155*l.*	150*l.*
	115*l.*	100*l.*

SCHE-

SCHEDULE (A.)

Setting forth the yearly Salaries payable to the Clerk of the Rules and Officers of each of the said Superior Courts of Common Law, and to any Crier hereafter appointed in any of the said Courts.

Office.	Yearly Salary payable to	
	Clerks of the Rules and Officers appointed in the first instance.	Persons appointed afterwards.
Clerk of the Rules - -	900*l.* - - -	700*l.*, to be increased by 25*l.* every Year of Service till Salary amounts to 900*l.*
Pleadings and Record Assistant.	700*l.* - - -	600*l.*, to be increased by 20*l.* every Year of Service till Salary amounts to 700*l.*
Chief Clerk - -	500*l.* - - -	400*l.*, to be increased by 20*l.* every Year of Service till Salary amounts to 500*l.*
Two First-class Clerks -	350*l.* each - -	250*l.*, to be increased by 15*l.* every Year of Service till Salary amounts to 350*l.*
Two Second-class Clerks -	250*l.* each - - -	200*l.*, to be increased by 10*l.* every Year of Service till Salary amounts to 250*l.*
Two Third-class Clerks -	200*l.* each - -	150*l.*, to be increased by 10*l.* every Year of Service till Salary amounts to 200*l.*
Crier - - -	- - - -	100*l.*

SCHEDULE (B.)

Setting forth the Statutes referred to in Section 47 of this Act.

3 & 4 Vict. c. 105. s. 16.
11 & 12 Vict. c. 120.
12 & 13 Vict. c. 104. s. 17.
12 & 13 Vict. c. 107. s. 112.
13 & 14 Vict. c. 29.
13 & 14 Vict. c. 74. s. 10.
17 & 18 Vict. c. 55.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXX.

An Act for the Regulation of Agricultural Gangs.

[20th *August* 1867.]

WHEREAS in certain Counties in *England* certain Persons known as Gangmasters hire Children, Young Persons, and Women with a view to contracting with Farmers and others for the Execution on their Lands of various Kinds of Agricultural Work: And whereas it is expedient to make Regulations with respect to the Employment of Children, Young Persons, and Women by Gangmasters:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Agricultural Gangs Act, 1867." Short Title.

2. This Act shall come into operation on the First of *January* One thousand eight hundred and sixty-eight. Commencement of Act.

3. The

Definition of Terms.

3. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them, unless there is something in the Context inconsistent with such Meanings; that is to say,

"Child" shall mean a Child under the Age of Thirteen Years:

"Young Person" shall mean a Person of the Age of Thirteen Years and under the Age of Eighteen Years:

"Woman" shall mean a Female of the Age of Eighteen Years or upwards:

"Gangmaster" shall mean any Person, whether Male or Female, who hires Children, Young Persons, or Women with a view to their being employed in Agricultural Labour on Lands not in his own Occupation; and, until the contrary is proved, any Children, Young Persons, or Women employed in Agricultural Labour on Lands not in the Occupation of the Person who hired them shall be deemed to have been hired with the aforesaid View:

"Agricultural Gang" shall mean a Body of Children, Young Persons, and Women, or any of them, under the Control of a Gangmaster.

Regulations as to Gangs.

4. The following Regulations shall be observed by every Gangmaster with respect to the Employment of Children, Young Persons, and Women:

(1.) No Child under the Age of Eight Years shall be employed in any Agricultural Gang:

(2.) No Females shall be employed in the same Agricultural Gang with Males:

(3.) No Female shall be employed in any Gang under any Male Gangmaster unless a Female licensed to act as Gangmaster is also present with that Gang:

And any Gangmaster employing any Child, Young Person, or Woman in contravention of this Section, and any Occupier of Land on which such Employment takes place, unless he proves that it took place without his Knowledge, shall respectively be liable to a Penalty not exceeding Twenty Shillings for each Child, Young Person, or Woman so employed.

Gangmasters to be licensed.

5. No Person shall act as a Gangmaster unless he has obtained a Licence to act as such under this Act.

Any Person acting as a Gangmaster without a Licence under this Act shall incur a Penalty not exceeding Twenty Shillings for every Day during which he so acts.

Licences not to be granted to Keepers of Public Houses.

6. No Licence shall be granted to any Person who is licensed to sell Beer, Spirits, or any other exciseable Liquor.

7. Licences

Agricultural Gangs.

Licences to Gangmasters.

7. Licences to Gangmasters shall be granted by Two or more Justices in Divisional Petty Sessions, on due Proof to the Satisfaction of such Justices that the Applicant for a Licence is of good Character, and a fit Person to be intrusted with the Management of an Agricultural Gang.

The Justices shall annex to their Licence a Condition limiting, in such Manner as they think expedient, the Distances within which the Children employed by such Gangmaster are to be allowed to travel on Foot to their Work, and any Gangmaster violating the Condition so annexed to his Licence shall for each Offence be liable to a Penalty not exceeding Ten Shillings.

Any Person aggrieved by the Refusal of the Justices to grant him a Licence to act as Gangmaster may appeal to the next practicable Court of General or Quarter Sessions; and it shall be lawful for such Court, if they see Cause, to grant a Licence to the Applicant, which shall be of the same Validity as if it had been granted by the Justices in Petty Sessions.

Renewal of Licences.

8. Licences under this Act shall be in force for Six Months only, and may be renewed on similar Proof to that on which an original Licence is granted.

Fees in respect of Licences.

9. There shall be charged in respect of each Grant or Renewal of Licence a Fee of One Shilling, and such Fee shall be accounted for and applied in manner in which the Fees ordinarily received by the Authority granting the Licence are applicable.

Licence how affected by Conviction of Gangmaster.

10. On any Conviction of a Gangmaster of any Offence against this Act the Justices who convict him shall endorse on his Licence the Fact of such Conviction; and on any Conviction of such Gangmaster of a Second Offence against this Act the Justices may, in addition to any other Penalty, withhold his Licence for a Period not exceeding Three Months; and on any Conviction of any Gangmaster of a Third Offence against this Act the Justices may, in addition to any other Penalty, withhold his Licence for a Period not exceeding Two Years.

And after a Fourth Conviction for an Offence against this Act the Gangmaster shall be disqualified from holding or receiving a Licence under this Act.

Recovery of Penalties.

11. All Penalties under this Act may be recovered summarily before Two or more Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace*

11 & 12 Vict. c. 43.

Agricultural Gangs.

Peace out of Sessions within England *and* Wales *with respect to summary Convictions and Orders*, or any Act amending the same.

Extent of Act.

12. This Act shall not apply to *Scotland* or *Ireland*.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

Commencement of Act.

3. This Act shall come into force on the First Day of *September* One thousand eight hundred and sixty-seven, which Date is hereinafter referred to as the Commencement of this Act.

Unlimited Liability of Directors.

Company may have Directors with unlimited Liability.

4. Where after the Commencement of this Act a Company is formed as a Limited Company under the Principal Act, the Liability of the Directors or Managers of such Company, or the Managing Director, may, if so provided by the Memorandum of Association, be unlimited.

Liability of Director, past and present, where Liability is unlimited.

5. The following Modifications shall be made in the Thirty-eighth Section of the Principal Act, with respect to the Contributions to be required in the Event of the winding-up of a Limited Company under the Principal Act, from any Director or Manager whose Liability is, in pursuance of this Act, unlimited :

(1.) Subject to the Provisions herein-after contained, any such Director or Manager, whether past or present, shall, in addition to his Liability (if any) to contribute as an ordinary Member, be liable to contribute as if he were at the Date of the Commencement of such Winding-up a Member of an unlimited Company :

(2.) No Contribution required from any past Director or Manager who has ceased to hold such Office for a Period of One Year or upwards prior to the Commencement of the Winding-up shall exceed the Amount (if any) which he is liable to contribute as an ordinary Member of the Company :

(3.) No Contribution required from any past Director or Manager in respect of any Debt or Liability of the Company contracted after the Time at which he ceased to hold such Office shall exceed the Amount (if any) which he is liable to contribute as an ordinary Member of the Company :

(4.) Subject to the Provisions contained in the Regulations of the Company no Contribution required from any Director or Manager shall exceed the Amount (if any) which he is liable to contribute as an ordinary Member, unless the Court deems it necessary to require such Contribution in order to satisfy the Debts and Liabilities of the Company, and the Costs, Charges, and Expenses of the Winding-up.

Director with unlimited Liability may have Set-off as under Sect. 101. of 25 & 26 Vict. c. 89.

6. In the event of the winding-up of any Limited Company, the Court, if it think fit, may make to any Director or Manager of such Company whose Liability is unlimited the same Allowance by way of Set-off as under the One hundred and first Section of the Principal Act it may make to a Contributory where the Company is not limited.

7. In

Notice to be given to Director on his Election that his Liability will be unlimited.

7. In any Limited Company in which, in pursuance of this Act, the Liability of a Director or Manager is unlimited, the Directors or Managers of the Company (if any), and the Member who proposes any Person for Election or Appointment to such Office, shall add to such Proposal a Statement that the Liability of the Person holding such Office will be unlimited, and the Promoters, Directors, Managers, and Secretary (if any) of such Company, or One of them, shall, before such Person accepts such Office or acts therein, give him Notice in Writing that his Liability will be unlimited.

If any Director, Manager, or Proposer make default in adding such Statement, or if any Promoter, Director, Manager, or Secretary make default in giving such Notice, he shall be liable to a Penalty not exceeding One hundred Pounds, and shall also be liable for any Damage which the Person so elected or appointed may sustain from such Default, but the Liability of the Person elected or appointed shall not be affected by such Default.

Existing Limited Company may, by special Resolution, make Liability of Directors unlimited.

8. Any Limited Company under the Principal Act, whether formed before or after the Commencement of this Act, may, by a special Resolution, if authorized so to do by its Regulations, as originally framed or as altered by special Resolution, from Time to Time modify the Conditions contained in its Memorandum of Association so far as to render unlimited the Liability of its Directors or Managers, or of the Managing Director; and such special Resolution shall be of the same Validity as if it had been originally contained in the Memorandum of Association, and a Copy thereof shall be embodied in or annexed to every Copy of the Memorandum of Association which is issued after the passing of the Resolution, and any Default in this respect shall be deemed to be a Default in complying with the Provisions of the Fifty-fourth Section of the Principal Act, and shall be punished accordingly.

Reduction of Capital and Shares.

Power to Company to reduce Capital.

9. Any Company limited by Shares may, by special Resolution, so far modify the Conditions contained in its Memorandum of Association, if authorized so to do by its Regulations as originally framed or as altered by special Resolution, as to reduce its Capital; but no such Resolution for reducing the Capital of any Company shall come into operation until an Order of the Court is registered by the Registrar of Joint Stock Companies, as is herein-after mentioned.

Company to add "and Reduced" to its Name for

10. The Company shall, after the Date of the passing of any special Resolution for reducing its Capital, add to its Name, until such Date as the Court may fix, the Words "and Reduced," as the last

a limited Period.

last Words in its Name, and those Words shall, until such Date, be deemed to be Part of the Name of the Company within the Meaning of the Principal Act.

Company to apply to the Court for an Order confirming Reduction.

11. A Company which has passed a special Resolution for reducing its Capital, may apply to the Court by Petition for an Order confirming the Reduction, and on the Hearing of the Petition the Court, if satisfied that with respect to every Creditor of the Company who under the Provisions of this Act is entitled to object to the Reduction, either his Consent to the Reduction has been obtained, or his Debt or Claim has been discharged or has determined, or has been secured as herein-after provided, may make an Order confirming the Reduction on such Terms and subject to such Conditions as it deems fit.

Definition of the Court.

12. The Expression "the Court," shall in this Act mean the Court which has Jurisdiction to make an Order for winding-up the petitioning Company, and the Eighty-first and Eighty-third Sections of the Principal Act shall be construed as if the Term "Winding-up" in those Sections included Proceedings under this Act, and the Court may in any Proceedings under this Act make such Order as to Costs as it deems fit.

Creditors may object to Reduction, and List of objecting Creditors to be settled by the Court.

13. Where a Company proposes to reduce its Capital, every Creditor of the Company who at the Date fixed by the Court is entitled to any Debt or Claim which, if that Date were the Commencement of the winding-up of the Company, would be admissible in Proof against the Company, shall be entitled to object to the proposed Reduction, and to be entered in the List of Creditors who are so entitled to object.

The Court shall settle a List of such Creditors, and for that Purpose shall ascertain as far as possible without requiring an Application from any Creditor the Names of such Creditors and the Nature and Amount of their Debts or Claims, and may publish Notices fixing a certain Day or Days within which Creditors of the Company who are not entered on the List are to claim to be so entered or to be excluded from the Right of objecting to the proposed Reduction.

Court may dispense with Consent of Creditor on Security being given for his Debt.

14. Where a Creditor whose Name is entered on the List of Creditors, and whose Debt or Claim is not discharged or determined, does not consent to the proposed Reduction, the Court may (if it think fit) dispense with such Consent on the Company securing the Payment of the Debt or Claim of such Creditor by setting apart and appropriating

appropriating in such Manner as the Court may direct, a Sum of such Amount as is herein-after mentioned; (that is to say,)

(1.) If the full Amount of the Debt or Claim of the Creditor is admitted by the Company, or, though not admitted, is such as the Company are willing to set apart and appropriate, then the full Amount of the Debt or Claim shall be set apart and appropriated.

(2.) If the full Amount of the Debt or Claim of the Creditor is not admitted by the Company, and is not such as the Company are willing to set apart and appropriate, or if the Amount is contingent or not ascertained, then the Court may, if it think fit, inquire into and adjudicate upon the Validity of such Debt or Claim, and the Amount for which the Company may be liable in respect thereof, in the same Manner as if the Company were being wound up by the Court, and the Amount fixed by the Court on such Inquiry and Adjudication shall be set apart and appropriated.

Order and Minute to be registered.

15. The Registrar of Joint Stock Companies upon the Production to him of an Order of the Court confirming the Reduction of the Capital of a Company, and the Delivery to him of a Copy of the Order and of a Minute (approved by the Court), showing with respect to the Capital of the Company, as altered by the Order, the Amount of such Capital, the Number of Shares in which it is to be divided, and the Amount of each Share, shall register the Order and Minute, and on the Registration the special Resolution confirmed by the Order so registered shall take effect.

Notice of such Registration shall be published in such Manner as the Court may direct.

The Registrar shall certify under his Hand the Registration of the Order and Minute, and his Certificate shall be conclusive Evidence that all the Requisitions of this Act with respect to the Reduction of Capital have been complied with, and that the Capital of the Company is such as is stated in the Minute.

Minute to form Part of Memorandum of Association.

16. The Minute when registered shall be deemed to be substituted for the corresponding Part of the Memorandum of Association of the Company, and shall be of the same Validity and subject to the same Alterations as if it had been originally contained in the Memorandum of Association; and, subject as in this Act mentioned, no Member of the Company, whether past or present, shall be liable in respect of any Share to any Call or Contribution exceeding in Amount the Difference (if any) between the Amount which has been paid on such Share and the Amount of the Share as fixed by the Minute.

17. If

Companies Act (1862) *Amendment.*

Saving of Rights of Creditors who are ignorant of Proceedings.

17. If any Creditor who is entitled in respect of any Debt or Claim to object to the Reduction of the Capital of a Company under this Act is, in consequence of his Ignorance of the Proceedings taken with a View to such Reduction, or of their Nature and Effect with respect to his Claim, not entered on the List of Creditors, and after such Reduction the Company is unable, within the Meaning of the Eightieth Section of the Principal Act, to pay to the Creditor the Amount of such Debt or Claim, every Person who was a Member of the Company at the Date of the Registration of the Order and Minute relating to the Reduction of the Capital of the Company, shall be liable to contribute for the Payment of such Debt or Claim an Amount not exceeding the Amount which he would have been liable to contribute if the Company had commenced to be wound up on the Day prior to such Registration, and on the Company being wound up, the Court on the Application of such Creditor, and on Proof that he was ignorant of the Proceedings taken with a view to the Reduction, or of their Nature and Effect with respect to his Claim, may, if it think fit, settle a List of such Contributories accordingly, and make and enforce Calls and Orders on the Contributories settled on such List in the same Manner in all respects as if they were ordinary Contributories in a winding-up; but the Provisions of this Section shall not affect the Rights of the Contributories of the Company among themselves.

Copy of registered Minute.

18. A Minute when registered shall be embodied in every Copy of the Memorandum of Association issued after its Registration; and if any Company makes default in complying with the Provisions of this Section it shall incur a Penalty not exceeding One Pound for each Copy in respect of which such Default is made, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty.

Penalty on Concealment of Name of Creditor.

19. If any Director, Manager, or Officer of the Company wilfully conceals the Name of any Creditor of the Company who is entitled to object to the proposed Reduction, or wilfully misrepresents the Nature or Amount of the Debt or Claim of any Creditor of the Company, or if any Director or Manager of the Company aids or abets in or is privy to any such Concealment or Misrepresentation as aforesaid, every such Director, Manager, or Officer shall be guilty of a Misdemeanor.

Power to make Rules extended to making Rules con-

20. The Powers of making Rules concerning winding-up conferred by the One hundred and seventieth, One hundred and seventy-first, One hundred and seventy-second, and One hundred and seventy-third Sections of the Principal Act shall respectively extend to making Rules

Rules concerning Matters in which Jurisdiction is by this Act given to the Court which has the Power of making an Order to wind up a Company, and until such Rules are made the Practice of the Court in Matters of the same Nature shall, so far as the same is applicable, be followed. cerning Matters in this Act.

Subdivision of Shares.

21. Any Company limited by Shares may by special Resolution so far modify the Conditions contained in its Memorandum of Association, if authorized so to do by its Regulations as originally framed or as altered by special Resolution, as by Subdivision of its existing Shares or any of them, to divide its Capital, or any Part thereof, into Shares of smaller Amount than is fixed by its Memorandum of Association. Shares may be divided into Shares of smaller Amount.

Provided, that in the Subdivision of the existing Shares the Proportion between the Amount which is paid and the Amount (if any) which is unpaid on each Share of reduced Amount shall be the same as it was in the Case of the existing Share or Shares from which the Share of reduced Amount is derived.

22. The Statement of the Number and Amount of the Shares into which the Capital of the Company is divided contained in every Copy of the Memorandum of Association issued after the passing of any such special Resolution, shall be in accordance with such Resolution; and any Company which makes default in complying with the Provisions of this Section shall incur a Penalty not exceeding One Pound for each Copy in respect of which such Default is made; and every Director and Manager of the Company who knowingly or wilfully authorizes or permits such Default shall incur the like Penalty. Special Resolution to be embodied in Memorandum of Association.

Associations not for Profit.

23. Where any Association is about to be formed under the Principal Act as a Limited Company, if it proves to the Board of Trade that it is formed for the Purpose of promoting Commerce, Art, Science, Religion, Charity, or any other useful Object, and that it is the Intention of such Association to apply the Profits, if any, or other Income of the Association, in promoting its Objects, and to prohibit the Payment of any Dividend to the Members of the Association, the Board of Trade may by Licence, under the Hand of One of the Secretaries or Assistant Secretaries, direct such Association to be registered with Limited Liability, without the Addition of the Word Limited to its Name, and such Association may be registered accordingly, and upon Registration shall enjoy all the Privileges and Special Provisions as to Associations formed for Purposes not of Gain.

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be subject to the Obligations by this Act imposed on Limited Companies, with the Exceptions that none of the Provisions of this Act that require a Limited Company to use the Word Limited as any Part of its Name, or to publish its Name, or to send a List of its Members, Directors, or Managers to the Registrar, shall apply to an Association so registered.

The Licence by the Board of Trade may be granted upon such Conditions and subject to such Regulations as the Board think fit to impose, and such Conditions and Regulations shall be binding on the Association, and may, at the Option of the said Board, be inserted in the Memorandum and Articles of Association, or in both or One of such Documents.

Calls upon Shares.

Company may have some Shares fully paid and others not.

24. Nothing contained in the Principal Act shall be deemed to prevent any Company under that Act, if authorized by its Regulations as originally framed or as altered by special Resolution, from doing any One or more of the following Things; namely,—

(1.) Making Arrangements on the Issue of Shares for a Difference between the Holders of such Shares in the Amount of Calls to be paid, and in the Time of Payment of such Calls:

(2.) Accepting from any Member of the Company who assents thereto the whole or a Part of the Amount remaining unpaid on any Share or Shares held by him, either in discharge of the Amount of a Call payable in respect of any other Share or Shares held by him or without any Call having been made:

(3.) Paying Dividend in proportion to the Amount paid up on each Share in Cases where a larger Amount is paid up on some Shares than on others.

Manner in which Shares are to be issued and held.

25. Every Share in any Company shall be deemed and taken to have been issued and to be held subject to the Payment of the whole Amount thereof in Cash, unless the same shall have been otherwise determined by a Contract duly made in Writing, and filed with the Registrar of Joint Stock Companies at or before the Issue of such Shares.

Transfer of Shares.

Transfer may be registered at Request of Transferor.

26. A Company shall on the Application of the Transferor of any Share or Interest in the Company enter in its Register of Members the Name of the Transferee of such Share or Interest, in the same Manner and subject to the same Conditions as if the Application for such Entry were made by the Transferee.

Share

Share Warrants to Bearer.

Warrant of Limited Shares fully paid up may be issued in Name of Bearer.

27. In the Case of a Company limited by Shares the Company, if authorized so to do by its Regulations as originally framed or as altered by special Resolution, and subject to the Provisions of such Regulations, may, with respect to any Share which is fully paid up, or with respect to Stock, issue under their Common Seal a Warrant stating that the Bearer of the Warrant is entitled to the Share or Shares or Stock therein specified, and may provide, by Coupons or otherwise, for the Payment of the future Dividends on the Share or Shares or Stock included in such Warrant, herein-after referred to as a Share Warrant.

Effect of Share Warrant.

28. A Share Warrant shall entitle the Bearer of such Warrant to the Shares or Stock specified in it, and such Shares or Stock may be transferred by the Delivery of the Share Warrant.

Re-registration of Bearer of a Share Warrant in the Register.

29. The Bearer of a Share Warrant shall, subject to the Regulations of the Company, be entitled, on surrendering such Warrant for Cancellation, to have his Name entered as a Member in the Register of Members, and the Company shall be responsible for any Loss incurred by any Person by reason of the Company entering in its Register of Members the Name of any Bearer of a Share Warrant in respect of the Shares or Stock specified therein without the Share Warrant being surrendered and cancelled.

Regulations of the Company may make the Bearer of a Share Warrant a Member.

30. The Bearer of a Share Warrant may, if the Regulations of the Company so provide, be deemed to be a Member of the Company within the Meaning of the Principal Act, either to the full Extent or for such Purposes as may be prescribed by the Regulations:

Provided that the Bearer of a Share Warrant shall not be qualified in respect of the Shares or Stock specified in such Warrant for being a Director or Manager of the Company in Cases where such a Qualification is prescribed by the Regulations of the Company.

Entries in Register where Share Warrant issued.

31. On the Issue of a Share Warrant in respect of any Share or Stock the Company shall strike out of its Register of Members the Name of the Member then entered therein as holding such Share or Stock as if he had ceased to be a Member, and shall enter in the Register the following Particulars:

(1.) The Fact of the Issue of the Warrant:

(2.) A Statement of the Shares or Stock included in the Warrant, distinguishing each Share by its Number:

(3.) The Date of the Issue of the Warrant:

And until the Warrant is surrendered the above Particulars shall be deemed to be the Particulars which are required by the Twenty-fifth Section of the Principal Act to be entered in the Register of Members of a Company; and on the Surrender of a Warrant the Date of such Surrender shall be entered as if it were the Date at which a Person ceased to be a Member.

Particulars to be contained in annual Summary.

32. After the Issue by the Company of a Share Warrant the annual Summary required by the Twenty-sixth Section of the Principal Act shall contain the following Particulars,—the total Amount of Shares or Stock for which Share Warrants are outstanding at the Date of the Summary, and the total Amount of Share Warrants which have been issued and surrendered respectively since the last Summary was made, and the Number of Shares or Amount of Stock comprised in each Warrant.

Stamps on Share Warrants.

33. There shall be charged on every Share Warrant a Stamp Duty of an Amount equal to Three Times the Amount of the *ad valorem* Stamp Duty which would be chargeable on a Deed transferring the Share or Shares or Stock specified in the Warrant, if the Consideration for the Transfer were the nominal Value of such Share or Shares or Stock.

Penalties on Persons committing Forgery.

34. Whosoever forges or alters, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered, any Share Warrant or Coupon, or any Document purporting to be a Share Warrant or Coupon, issued in pursuance of this Act, or demands or endeavours to obtain or receive any Share or Interest of or in any Company under the Principal Act, or to receive any Dividend or Money payable in respect thereof, by virtue of any such forged or altered Share Warrant, Coupon, or Document, purporting as aforesaid, knowing the same to be forged or altered, with Intent in any of the Cases aforesaid to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalties on Persons falsely personating Owner of Shares.

35. Whosoever falsely and deceitfully personates any Owner of any Share or Interest of or in any Company, or of any Share Warrant or Coupon issued in pursuance of this Act, and thereby obtain or endeavours to obtain any such Share or Interest, or Share Warrant or Coupon, or receives or endeavours to receive any Money due to any such Owner, as if such Offender were the true and lawful Owner, shall be guilty of Felony, and being convicted thereof shall be liable,

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at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalties on Persons engraving Plates, &c.

36. Whosoever, without lawful Authority or Excuse, the Proof whereof shall be on the Party accused, engraves or makes upon any Plate, Wood, Stone, or other Material any Share Warrant or Coupon purporting to be a Share Warrant or Coupon issued or made by any particular Company under and in pursuance of this Act, or to be a blank Share Warrant or Coupon issued or made as aforesaid, or to be a Part of such a Share Warrant or Coupon, or uses any such Plate, Wood, Stone, or other Material for the making or printing any such Share Warrant or Coupon, or any such blank Share Warrant or Coupon, or any Part thereof respectively, or knowingly has in his Custody or Possession any such Plate, Wood, Stone, or other Material, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Contracts.

Contracts, how made.

37. Contracts on behalf of any Company under the Principal Act may be made as follows; (that is to say,)

(1.) Any Contract which if made between private Persons would be by Law required to be in Writing, and if made according to English Law to be under Seal, may be made on behalf of the Company in Writing under the Common Seal of the Company, and such Contract may be in the same Manner varied or discharged:

(2.) Any Contract which if made between private Persons would be by Law required to be in Writing, and signed by the Parties to be charged therewith, may be made on behalf of the Company in Writing signed by any Person acting under the express or implied Authority of the Company, and such Contract may in the same Manner be varied or discharged:

(3.) Any Contract which if made between private Persons would by Law be valid although made by Parol only, and not reduced into Writing, may be made by Parol on behalf of the Company by any Person acting under the express or implied Authority of the Company, and such Contract may in the same Way be varied or discharged:

And

And all Contracts made according to the Provisions herein contained shall be effectual in Law, and shall be binding upon the Company and their Successors and all other Parties thereto, their Heirs, Executors, or Administrators, as the Case may be.

Prospectus, &c. to specify Dates and Names of Parties to any Contract made prior to Issue of such Prospectus, &c.

38. Every Prospectus of a Company, and every Notice inviting Persons to subscribe for Shares in any Joint Stock Company, shall specify the Dates and the Names of the Parties to any Contract entered into by the Company, or the Promoters, Directors, or Trustees thereof, before the Issue of such Prospectus or Notice, whether subject to Adoption by the Directors or the Company, or otherwise; and any Prospectus or Notice not specifying the same shall be deemed fraudulent on the Part of the Promoters, Directors, and Officers of the Company knowingly issuing the same, as regards any Person taking Shares in the Company on the Faith of such Prospectus, unless he shall have had Notice of such Contract.

Meetings.

Company to hold Meeting within Four Months after Registration.

39. Every Company formed under the Principal Act after the Commencement of this Act shall hold a General Meeting within Four Months after its Memorandum of Association is registered; and if such Meeting is not held the Company shall be liable to a Penalty not exceeding Five Pounds a Day for every Day after the Expiration of such Four Months until the Meeting is held; and every Director or Manager of the Company, and every Subscriber of the Memorandum of Association, who knowingly authorizes or permits such Default, shall be liable to the same Penalty.

Winding-up.

Contributory when not qualified to present Winding-up Petition.

40. No Contributory of a Company under the Principal Act shall be capable of presenting a Petition for winding up such Company unless the Members of the Company are reduced in Number to less than Seven, or unless the Shares in respect of which he is a Contributory, or some of them, either were originally allotted to him or have been held by him, and registered in his Name, for a Period of at least Six Months during the Eighteen Months previously to the Commencement of the Winding-up, or have devolved upon him through the Death of a former Holder:

Provided that where a Share has during the whole or any Part of the Six Months been held by or registered in the Name of the Wife of a Contributory either before or after her Marriage, or by or in the Name of any Trustee or Trustees for such Wife or for the Contributory, such Share shall for the Purposes of this Section be deemed to have been held by and registered in the Name of the Contributory.

41. Where

Companies Act (1862) *Amendment.*

Winding-up may be referred to County Court.

41. Where the High Court of Chancery in *England* makes an Order for winding-up a Company under the Principal Act, it may, if it thinks fit, direct all subsequent Proceedings to be had in a County Court held under an Act of the Session of the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, and the Acts amending the same; and thereupon such County Court shall, for the Purpose of winding-up the Company, be deemed to be "the Court" within the Meaning of the Principal Act, and shall have, for the Purposes of such Winding-up, all the Jurisdiction and Powers of the High Court of Chancery.

As to Transfer of Suit from one County Court to another.

42. If during the Progress of a Winding-up it is made to appear to the High Court of Chancery that the same could be more conveniently prosecuted in any other County Court, it shall be competent for the High Court of Chancery to transfer the same to such other County Court, and thereupon the Winding-up shall proceed in such other County Court.

Parties aggrieved may appeal.

43. If any Party in a Winding-up under this Act is dissatisfied with the Determination or Direction of a Judge of a County Court on any Matter in such Winding-up, such Party may appeal from the same to the Vice-Chancellor named for that Purpose by the Lord Chancellor by General Order: Provided that such Party shall, within Thirty Days after such Determination or Direction, give Notice of such Appeal to the other Party or his Attorney, and also deposit with the Registrar of the County Court the Sum of Ten Pounds as Security for the Costs of the Appeal; and the said Court of Appeal may make such final or other Decree or Order as it thinks fit, and may also make such Order with respect to the Costs of the said Appeal as such Court may think proper, and such Orders shall be final.

Powers to frame Rules and Orders under Sect. 32. of 19 & 20 Vict c. 108.

44. The County Court Judges appointed or to be appointed by the Lord Chancellor from Time to Time to frame Rules and Orders for regulating the Practice of the Courts, and Forms of Proceedings therein, under the Thirty-second Section of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight, shall frame the Rules and Orders for regulating the Practice of the County Courts under this Act, and Forms of Proceedings therein, and from Time to Time may amend such Rules, Orders, and Forms; and such Rules, Orders, and Forms, or amended Rules, Orders, and Forms, certified under the Hands of such Judges or of any Three or more of them, shall be submitted to the Lord Chancellor, who may allow or disallow or alter the same, and so from Time to Time; and the Rules, Orders, and Forms, or amended

Rules, Orders, and Forms, so allowed or altered, shall from a Day to be named by the Lord Chancellor be in force in every County Court.

Scale of Costs to be framed by the Judges.

45. The County Court Judges mentioned in the last Section shall be empowered to frame a Scale of Costs and Charges to be paid to Counsel and Attorneys with respect to all Proceedings in a winding up under this Act, and from Time to Time to amend such Scale; and such Scale or amended Scale, certified under the Hands of such Judges or any Three or more of them, shall be submitted to the Lord Chancellor, who from Time to Time may allow or disallow or alter the same; and the Scale or amended Scale so allowed or altered shall, from a Day to be named by the Lord Chancellor, be in force in every County Court.

Remuneration of Registrars and High Bailiffs in Winding-up of Companies.

46. The Registrars and High Bailiffs of the County Courts shall be remunerated for the Duties to be performed by them under this Act, by receiving, for their own Use, such Fees as may be from Time to Time authorized to be taken by any Orders to be made by the Commissioners of the Treasury, with the Consent of the Lord Chancellor; and the Commissioners of the Treasury are hereby authorized and empowered, with such Consent as aforesaid, from Time to Time to make such Orders: Provided that it shall be lawful for the said Commissioners, with the like Consent as aforesaid, by an Order to direct that after the Date named in the Order any Registrar or High Bailiff shall, in lieu of receiving such Fees, be paid such fixed or fluctuating Allowance as may in each Case be thought just, and after such Date the said Fees shall be accounted for and paid over by such Registrar or High Bailiff in such Manner as may be directed in the Order.

Saving.

Not to exempt Companies from Provisions of Sect. 196. of 25 & 26 Vict. c. 89.

47. Nothing in this Act contained shall exempt any Company from the Second or Third Provisions of the One hundred and ninety-sixth Section of the Principal Act restraining the Alteration of any Provision in any Act of Parliament or Charter.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXXII.

An Act to remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

[20th *August* 1867.]

WHEREAS by an Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her present Majesty, Chapter Thirty-five, "to further amend the Law of Property, and to relieve Trustees," it is enacted, that "when a Trustee, Executor, or Administrator shall not by some Instruments creating his Trust be expressly forbidden to invest any Trust Fund on Real Securities in any Part of the United Kingdom, or on the Stock of the Bank of *England* or *Ireland*, or on *East India* Stock, it shall be lawful for such Trustee, Executor, or Administrator to invest such Trust Fund on such Securities or Stock, and he shall not be liable on that account as for a Breach of Trust, provided that such Investment shall in other respects be reasonable and proper:" 22 & 23 Vict. c. 35.

And whereas Doubts have arisen as to the legal Effect and Signification of the Words "*East India* Stock" in the said Act mentioned:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application of Term "East India Stock" in recited Act.

1. The Words "*East India* Stock" in the said Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Thirty-five, shall include and express as well the *East India* Stock which existed previously to the Thirteenth Day of *August* One thousand eight hundred and fifty-nine, when the said Act received the Assent of Her Majesty, as *East India* Stock charged on the Revenues of *India*, and created under and by virtue of any Act or Acts of Parliament which received Her Majesty's Assent on or after the Thirteenth Day of *August* One thousand eight hundred and fifty-nine; and it shall be lawful for every Trustee, Executor, or Administrator to invest any Trust Fund in his Possession or under his Control in the Stock created by the last-mentioned Act or Acts to the same Extent, and for the same Purposes and Objects, as he can now invest such Trust Fund in the *East India* Stock which existed previously to the Thirteenth Day of *August* One thousand eight hundred and fifty-nine.

Trustees may invest in any Securities Interest whereon is guaranteed by Parliament.

2. It shall be lawful for every Trustee, Executor, or Administrator to invest any Trust Fund in his Possession or under his Control in any Securities the Interest of which is or shall be guaranteed by Parliament to the same Extent and in the same Manner as he may invest such Trust Fund in such Securities as aforesaid.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXXXIII.

An Act relating to the Consecration of Churchyards. [20th *August* 1867.]

WHEREAS it is expedient to diminish the Expense attendant on the Consecration of Portions of Ground adjoining and added to existing Churchyards:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Bishop to sign Instrument of Consecration at Churchyard without Presence of Chancellor, &c.

1. Where any Ground adjoining to an existing Churchyard has been or is added thereto, the Bishop of the Diocese may, if he thinks fit, at the Churchyard or in the Church to which it belongs, by his own Hand, or by the Hand of any Bishop of the United Church of *England* and *Ireland* lawfully appointed as his Commissary, sign an Instrument declaring or recording the Consecration of such Ground, without the Presence of the Chancellor or Registrar of the Diocese being necessary; and the Signature of the Bishop to such Instrument shall be attested by the Chancellor or by a

Surrogate or by any Two Clergymen of the Diocese, and shall be in the following Form, endorsed on a Plan of the Ground so added: I, *A.B.*, Bishop of , do hereby declare and record the Ground added to the Churchyard of , as on the within Plan, to be consecrated Ground and Part of the said Churchyard; and such Instrument, so signed and attested, on being deposited in the Registry of the Diocese, shall have the same Effect as a Sentence of Consecration.

No Officer attending to take Fee.

2. No Officer of the Bishop or of the Diocese shall receive any Fee for Attendance at such Consecration, or any Allowance for travelling or for Attendance.

Fee for Deposit.

3. A Fee of Five Shillings shall be payable to the Registrar for the Deposit of every such Instrument of Consecration.

Powers given in School Sites Acts for Conveyance of Land to apply to Conveyances under this Act.

4. And whereas by an Act passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to afford further Facilities for the Conveyance and Endowment of Sites for Schools*, and by another Act passed in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools*, Powers are given to Persons being seised in Fee Simple, Fee Tail, or for Life of and in any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the beneficial Interest therein, to grant, convey, or enfranchise, by way of Gift, Sale, or Exchange in Fee Simple or for Term of Years, any Quantity not exceeding One Acre of such Land as a Site for a School, and it is expedient that the same Powers should be extended to Persons willing to grant Land for the Enlargement of Churchyards or Burial Places in *England* or *Wales*: Be it therefore enacted, That the said Acts shall be deemed to apply to all Persons desirous of granting Land for the Purpose of such Enlargement, in the same Way as if the said Land had been granted as a Site for a School; provided nevertheless, that no such Grant shall be made otherwise than in Fee Simple, and may be made in the Form herein-after provided; and that every such Grant made by any Person seised only for Life shall be valid without the Concurrence therein of the Person next entitled in Remainder in Fee Simple or Fee Tail, and such Conveyance shall be good and valid without any Licence or Writ of Ad quod damnum, the Statutes of Mortmain, or any other Statute or Law, to the contrary notwithstanding.

5. Any

Consecration of Churchyards.

Form of Conveyance of Lands for adding to existing Churchyards.

5. Any Lands or Hereditaments adjoining any Churchyard or Burial Place may be conveyed for the Purpose of adding thereto by a Deed in the Form following, with such Variations (if any) as the Circumstances of the Case may require:

'I [*or* We, *or the corporate Title of a Corporation,*] under the 'Authority of "The Consecration of Churchyards Act, 1867," do 'hereby freely and voluntarily give, grant, and convey [*or, as the 'Case may be,* do hereby, in consideration of the Sum of 'to me, *or* us, *or* the paid, grant and convey] unto 'the Person or Persons, or Corporation Sole or Aggregate, in whom 'the Churchyard or the Burial Place known as of 'is now vested, his or their Heirs or Successors, all '[*describing the Hereditaments to be conveyed*], and all Right, Title, 'and Interest in the same and every Part thereof, to be held for 'ever as Part of the said Churchyard or Burial Place:'

And every such Conveyance shall be valid and effectual in the Law to all Intents and Purposes.

Deed of Gift, &c. not to be subject to Stamp Duties.

6. And whereas by the Act of the Fifty-ninth Year of *George* the Third, intituled *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional Churches in populous Parishes,* and by another Act of the Third Year of *George* the Fourth, intituled *An Act to amend and render more effectual Two Acts passed in the Fifty-eighth and Fifty-ninth Years of His late Majesty, for building and promoting the building of additional Churches in populous Parishes,* the Commissioners for managing the Duties upon stamped Vellum, Parchment, and Paper are authorized to allow the full Amount of Stamp Duties upon Instruments made in relation to the said recited Acts; and it is expedient to make further Provisions in relation to such Stamp Duties: Be it therefore enacted, That no Deed of Gift, or Grant, Security, Contract, Agreement, Deed, or Conveyance, or other Instrument made for the Purposes of this Act, or for the carrying into execution any of the Powers, Authorities, or Provisions of this Act, shall be subject to any of the Duties upon stamped Vellum, Parchment, or Paper, anything in any Act or Acts of Parliament to the contrary notwithstanding.

Application of the Provisions of Act of 3 G. 4. c. 72. s. 29. to Lands so added.

7. From and after the Expiration of Five Years after the Conveyance of any Lands or Hereditaments for such Addition to any Churchyard or Burial Place and the Inclosure of the same within One Boundary Fence, although the same shall not have been consecrated

secrated and although no Burial shall have been had within the same during that Period of Time, the said Lands and Hereditaments shall, for the Purposes of this Act, become and be and remain absolutely vested in the Person or Persons or Corporation in whom the Churchyard or Burial Place to which they are added is vested, free from all Demand or Claim of any Person or Persons or Corporation whatsoever, and without being thereafter subject to any Question as to any Right, Title, or Claim thereto, or in any Manner affecting the same.

Saving Provisions of former Acts.

8. Except as is by this Act expressly enacted, nothing therein contained shall affect the Provisions of any Act of Parliament with reference to Lands or Hereditaments conveyed as Sites for Churchyards or to the Conveyances thereof.

Exclusive Right of Burial in a Portion of the Land added to a Churchyard may be secured to the Giver thereof.

9. Whenever any Land shall be so added to a consecrated Churchyard, and such Land shall have been the Gift of any Person whether resident or not in the Parish or Ecclesiastical District in which such Churchyard is situated, it shall be lawful for the Giver of such Land to reserve the exclusive Right in perpetuity of Burial and of placing Monuments and Gravestones in a Part of the Land so added, not exceeding Fifty Square Yards or One Sixth of the whole of the said Land, and the Part in which such exclusive Right is reserved shall be shown and coloured on the Plan endorsed on the Instrument declaring or recording the Consecration of the Land added to the Churchyard; and a Memorandum in the Form following shall be written on the said Instrument, and signed by the Incumbent and Churchwardens of the Parish or Ecclesiastical District in which the same is situated:

We, *A.B.*, [Rector, Vicar, *or* Incumbent,] and *C.D.* and *E.F.*, Churchwardens, of , declare the Piece of Land [*here insert the Description and Measurement*], and coloured on this Plan, to be the Burial Place of *G.H.*, the Giver of the Land added to the Churchyard of his Heirs and Assigns.

Signed *A.B.*,
C.D.,
E.F.,
in the Presence of *J.K.*

Dated this Day of .

And the Memorandum so signed shall, after such Land shall have been declared to have been consecrated, operate as an exclusive Right in perpetuity in the Land therein referred to, and the

Expenses

Expenses of preparing and executing such Memorandum shall be borne by the Person by whom the Reservation is made.

Conditions attending such Grant of exclusive Right of Burial.

10. The exclusive Right of Burial and of placing Monuments and Gravestones as aforesaid shall be considered to be the Real Estate of the Giver, his Heirs and Assigns, and no Body shall be buried or Monument or Gravestone placed in the Land in which such Rights have been granted, except by Consent of the Owner thereof for the Time being, but no such Reservation shall give the Right to bury the Body of any Person not entitled to be buried in consecrated Ground, and the Bishop of the Diocese, and all Persons acting under his Authority, shall have the same Right and Powers to object to the placing and to procure the Removal of any monumental Inscription within the Ground so reserved as he has to object to or procure the Removal of any monumental Inscription in any consecrated Ground: Provided always, that the Consent of the Owner for the Time being shall not be required for the Burial of a deceased Owner or of a Wife or Widow of any deceased Owner who has been buried or shall be about to be buried in such Ground.

As to closing of reserved Portion.

11. Such reserved Portion shall not be included in any Order in Council under the Burial Acts for closing the Churchyard to which it belongs, but it may be closed under a separate Order founded on a special Report that the Ground is in such a State as to render any further Interments therein prejudicial to the Public.

Where Communion Table has been moved, or Walls of Church have been partly demolished, Marriages, &c. to be valid, although the Church be not re-consecrated or reconciled.

12. And whereas Doubts are entertained whether in Cases where a Church or Chapel has been rebuilt, repaired, or enlarged, and the external Walls have been partly destroyed, or the Position of the Communion Table altered, a Reconsecration of such Church or Chapel be not necessary in order to the due and valid Administration of Divine Offices there: Be it declared and enacted, That all Marriages, Rites, and Ceremonies heretofore or hereafter celebrated or performed in a consecrated Church or Chapel which may have been rebuilt, repaired, or enlarged prior to such Celebration or Performance, and wherein such Marriages, Rites, and Ceremonies might have been legally solemnized or performed previously to such Rebuilding, Repair, or Enlargement, shall be valid and effectual for all Purposes, notwithstanding that upon such Repair or Enlargement the external Walls of such Church or Chapel may not have remained entire, or the Position of the Communion Table may have been altered, and notwithstanding that since such Rebuilding,

Repair, or Enlargement no Reconsecration of such Church or Chapel may have taken place.

Short Title.

13. This Act may be cited as The Consecration of Churchyards Act, 1867.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1867.

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Definitions:

3. The following Expressions for the Purposes of this Act shall, unless the Context requires a different Construction, have the Meanings herein-after assigned to them; that is to say,

"Magistrate:" "Magistrate" shall, within the City of *London* and the Liberties thereof, mean the Lord Mayor of the City of *London*, or any Alderman of the said City, sitting alone or with others at the Mansion House or Guildhall, and in the rest of the Metropolis shall mean any Metropolitan Police Magistrate:

"Commissioner of Police:" "Commissioner of Police," beyond the Limits of the City of *London* and the Liberties thereof, shall mean "the Commissioner of Police of the Metropolis," and within such Limits "the Commissioner of the Police Force of the City of *London* and the Liberties thereof:"

"Street:" "Street" shall include any Highway or other public Place, whether a Thoroughfare or not; and any of the Royal Parks, Gardens, and Possessions which are managed by the Commissioners of Her Majesty's Works and Public Buildings, in pursuance of the Act of the Session of the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, shall, for the Purposes of this Act, be deemed to be public Places:

"Cattle." The Word "Cattle" shall include Bull, Ox, Cow, Heifer, Calf, Sheep, Goats, and Swine, also Horses, Mules, and Asses, when led in a String or loose.

General Limits of Act.

4. The Expression "the general Limits of this Act" shall mean such Parts of the Metropolis as are enclosed in a Circle of which the Centre is *Charing Cross*, and the Radii are Four Miles in Length, as measured in a straight Line from *Charing Cross*:

Special Limits of Act. The Expression "the special Limits of this Act" shall mean such Streets and Portions of Streets as may be declared to be special Limits in manner herein-after provided.

PART I.

General Regulations.

Prohibition of scavengering except between certain Hours.

5. No Person shall, after the First Day of *January* One thousand eight hundred and sixty-eight, between the Hours of Ten in the Morning and Seven in the Evening, in such Streets as may be named by the Commissioner of Police, remove any Ashes, Dust, or Refuse from any House in any Street.

Any Person doing any Act in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Forty Shillings.

6. No

As to the Deposit of Goods in Streets within general Limits of Act.

6. No Goods or other Articles shall be allowed to rest on any Footway or other Part of a Street within the general Limits of this Act, or be otherwise allowed to cause Obstruction or Inconvenience to the Passage of the Public, for a longer Time than may be absolutely necessary for loading or unloading such Goods or other Articles.

Any Person doing any Act in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Forty Shillings.

For the Purposes of this Act, the Surface of any Space over which the Public have the Right of Way that intervenes in any Street within the general Limits of this Act between the Footway and the Carriageway shall, notwithstanding any Claim of any Person by Prescription or otherwise to the Deposit or Exposure for Sale of any Goods or other Articles on such Surface, be deemed to be Part of the Footway.

Cattle not to be driven through Streets within certain Hours.

7. No Person shall drive or conduct any Cattle through any Street within the general Limits of this Act between the Hours of Ten in the Morning and Seven in the Evening, except with the Permission of the Commissioner of the Police.

Any Person driving or conducting Cattle in contravention of this Section shall be liable to a Penalty not exceeding Ten Shillings for each Head of Cattle so driven or conducted.

Regulations as to Metropolitan Stage Carriages.

8. Within the general Limits of this Act the Driver of a Metropolitan Stage Carriage shall not stop such Carriage for the Purpose of taking up or setting down Passengers at any Part of a Street except as near as may be to the Left or Near Side of the Roadway.

Any Driver of a Metropolitan Stage Carriage acting in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Forty Shillings.

Prohibition of Carriage of Advertisements, except those approved by Commissioner of Police.

9. No Picture, Print, Board, Placard, or Notice, except in such Form and Manner as may be approved of by the Commissioner of Police, shall, by way of Advertisement, be carried or distributed in any Street within the general Limits of this Act by any Person riding in any Vehicle, or on Horseback, or being on Foot.

Any Person doing any Act in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Ten Shillings.

This Section shall not apply to the Sale of Newspapers.

Special Limits.

Power of Commissioner of Police to make special Limits.

10. The Commissioner of Police, with the Approval of One of Her Majesty's Principal Secretaries of State, may from Time to Time direct that any Street or Portion of a Street within the general Limits of this Act is to be deemed to be within the special Limits of this Act, and may from Time to Time take any Street or Portion of a Street out of the special Limits of this Act: Provided,

1st. That an Order made by the Commissioner of Police under this Section shall not come into effect until the Expiration of Ten Days from the Date of the Approval thereof by the Secretary of State:

2d. That Notice that an Order has been submitted for the Approval of the said Secretary of State under this Section in respect of any Street or Portion of a Street shall be affixed to a Lamp Post or otherwise placarded in some conspicuous Position in or near the Street or Portion of a Street to which such intended Order relates, and at the Principal Office of the Local Authority having Charge of such Street and of the Metropolitan Police and of the City Police respectively, for not less than Twenty-eight Days previously to the Approval of the said Secretary of State being given to the said Order:

3d. That a Copy of such Order when approved by the said Secretary of State shall be published in the *London Gazette*, and also affixed to a Lamp Post or otherwise placarded in some conspicuous Position in or near the Street or Portion of a Street to which the said Order relates, and shall always during the Time that the Order is in force be kept so affixed or placarded.

A Copy of the *London Gazette* containing any Order purporting to be made in pursuance of this Section shall be Evidence of the Contents of such Order and of the same having been duly made and approved in manner provided by this Act, and until the contrary is proved the Provisions of this Act with respect to the affixing or placarding of such Order shall be deemed to have been duly complied with.

Regulations within special Limits.

11. The Commissioner of Police, with the Approval of the said Secretary of State, and the Commissioner of City Police, with the Consent of the Court of Mayor and Aldermen, and subject to the Approval of the said Secretary of State, may from Time to Time make

make Regulations to be observed by all Persons within the special Limits of this Act with respect to the following Matters:

1. With respect to the Route to be taken by all Carts, Carriages, or other Vehicles, with Power to prohibit any Cart, Carriage, or other Vehicle from coming into any Street or Part of a Street within the said Limits for the Purpose only of passing to its Destination in some other Street or Part of a Street:
2. With respect to the Line to be kept by Persons riding or driving:

And may, with the like Approval, from Time to Time alter, vary, or repeal any Regulation made by them, and make new Regulations in addition to or in lieu of any existing Regulations; but this Section shall not authorize the Commissioner of Police or the Secretary of State to limit the Number of Metropolitan Stage Carriages that may pass down any Street in pursuance of their ordinary Trade.

Penalty for Disobedience to Regulations.

12. Any Person wilfully disregarding or refusing to conform to any Regulation of the Commissioner of Police made in pursuance of this Act shall incur a Penalty not exceeding Forty Shillings for each Offence; and any Constable may take into Custody without Warrant any Person who within View of such Constable wilfully disregards or refuses to conform to any such Regulation, and refuses to give his Name and Address to such Constable; and any printed Copy of such Regulations certified under the Hand of the Commissioner of Police who made the same to be a true Copy of Regulations made by him, or purporting to be printed by the Queen's Printer, shall be Evidence of such Regulations, and until the contrary is proved all such Regulations shall be deemed to have been duly made.

Publication of Regulations.

13. A printed Copy of all Regulations made by the Commissioner of Police in pursuance of this Act shall be hung up for public Inspection in such Places within his District as the Commissioner of Police thinks advisable; but it shall not be necessary in enforcing any Regulation to prove that the Provisions of this Section have been complied with, nor shall the Noncompliance therewith invalidate any Regulation.

Regulation of Metropolitan Stage Carriages in special Limits.

14. Within the special Limits of this Act no Driver of or Conductor of a Metropolitan Stage Carriage shall take up or set down Passengers at any Place where he may for the Time being be prohibited by Regulation of the Commissioner of Police from taking them up or setting them down; and any Driver or Conductor

acting in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Forty Shillings.

As to the loading and unloading of Coal and Casks in Streets.

15. Between the Hours of Ten o'Clock in the Morning and Six o'Clock in the Evening no Coal shall be loaded or unloaded on or across any Footway within the special Limits of this Act, and between the same Hours and within the same Limits no Casks, whether empty or full, (Wine or Spirits in Cask excepted,) shall be lowered or drawn up by means of Ropes, Chains, or other Machinery passing across the Footway or any Part thereof.

Any Person doing any Act in contravention of this Section shall be liable for each Offence to a Penalty not exceeding Forty Shillings.

Prohibition of Carriage of Timber and other large Articles between certain Hours.

16. No Person shall, within the special Limits of this Act, and between the Hours of Ten in the Morning and Seven in the Evening, except with the Permission of the Commissioner of Police,—

1. Drive or conduct along any Street any Cart, Carriage, or other Vehicle laden with Timber, Metal, or any other Article which exceeds in Length Thirty-five Feet, or which protrudes more than Eight Feet Six Inches behind the Vehicle or more than One Foot from the Sides of the Vehicle:
2. Carry in any way along any Street any Ladder, Scaffold Pole, or other Article which exceeds Thirty-five Feet in Length or Eight Feet Six Inches in Breadth:
3. Drive or conduct along any Street any Cart, Waggon, or other Vehicle used for conveying Goods or Merchandise, and drawn by more than Four Horses:

Any Person acting in contravention of this Section shall for each Offence be liable to a Penalty not exceeding Forty Shillings.

No Penalty shall be imposed on or Costs awarded against any Person for acting in contravention of this Section if such Person prove to the Satisfaction of the Magistrate having Power to impose the Penalty that the Act alleged to be in contravention of this Section was done on the Occasion of a Fire or other sudden Emergency with a view to prevent Accident, or to save Life or Property.

Any Byelaw, Rule, Order, or Regulation made or to be made within the City of *London* and the Liberties thereof that is inconsistent with this Section shall be void.

PART II.

Hackney Carriages.

Regulations as to Hackney Carriages.

17. The following Regulations shall be made with respect to Hackney Carriages as defined by the Hackney Carriage Acts, and plying within the Limits defined for the Purposes of those Acts:—

1. During such Portion of Time between Sunset and Sunrise as may be fixed by the Commissioner of Police of the Metropolis from Time to Time no Driver of any Hackney Carriage shall ply for Hire unless the Hackney Carriage under his Charge be provided with at least One Lamp properly trimmed and lighted, to be fixed outside the Carriage in such Manner and Position as may be directed by the Commissioner of Police of the Metropolis:

   Any Driver plying for Hire in contravention of this Enactment shall be liable for each Offence to a Penalty not exceeding Forty Shillings:

   The Portion of Time so fixed by the said Commissioner shall be made known by Notice posted up at every Standing for Hackney Carriages in such conspicuous Position as may be directed by the said Commissioner, but in any Proceedings for enforcing the foregoing Regulation as to Lamps it shall not be necessary to prove that such Notice was given:

2. The Commissioner of Police of the Metropolis may from Time to Time cause to be affixed such Plate or Mark in such Position as he thinks expedient to any Hackney Carriage certified by him to be in a fit Condition for public Use, and may cause to be removed such Plate or Mark whenever such Carriage has, after Notice to the Owner thereof, been determined by him to be in a Condition unfit for public Use. If any Plate or Mark adopted by the said Commissioner of Police of the Metropolis for distinguishing Hackney Carriages that are fit for public Use is affixed to any Hackney Carriage without his Authority, or if any Plate or Mark counterfeiting or resembling such authorized Plate or Mark is affixed to any Hackney Carriage, the Owner of the Carriage, and also the Driver (unless such Owner or Driver proves that he was ignorant of the Plate or Mark being affixed to the Carriage in contravention of this Section), shall be liable for each Offence to a Penalty not exceeding Forty Shillings:

For the Purposes of this Act the Expression "Hackney Carriage Acts" shall mean the following Acts:

An Act passed in the Session of the First and Second Years of the Reign of King *William* the Fourth, Chapter Twenty-two, intituled *An Act to amend the Laws relating to Hackney Carriages*,

Carriages, and to Waggons, Carts, and Drays, used in the Metropolis; and to place the Collection of the Duties on Hackney Carriages and on Hawkers and Pedlars in England *under the Commissioner of Stamps:*

An Act passed in the Session of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Eighty-six, intituled *An Act for regulating Hackney and Stage Carriages in and near* London:

An Act passed in the Session of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Seven, intituled *An Act for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of the Commissioners of Police of the Metropolis, and making other Provisions in regard to the consolidated Offices:*

An Act passed in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Thirty-three, intituled *An Act for the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of Advertising Vehicles:*

An Act passed in the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-seven, intituled *An Act to reduce the Duties payable in respect of Hackney Carriages used in the Metropolis, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases.*

Dogs.

Regulations as to Dogs.

18. The Police may take possession of any Dog found in any Street within the Metropolis, and not under the Control of any Person, and may detain such Dog until the Owner has claimed the same, and paid all Expenses incurred by reason of such Detention.

The Commissioner of Police, if he see fit, may issue a Notice requiring any Dog while in the Streets and not led by some Person to be muzzled in such a Manner as will admit of the Animal breathing and drinking without Obstruction; and the Police may take possession of any Dog found loose in the Streets without such Muzzle during the Currency of such Order, and may detain such Dog until the Owner has claimed it, has provided a proper Muzzle, and has paid all Expenses connected with such Detention.

Where

Where any Dog taken possession of by the Police wears a Collar with the Address of any Person inscribed thereon, a Letter stating the Fact of such Dog having been taken possession of shall be sent by Post to the Address inscribed on the Collar.

The Commissioner of Police may cause any Dog which has remained in the Possession of the Police for Three clear Days without the Owner claiming the same, and paying all Expenses incurred by its Detention, to be sold or destroyed. Any Monies arising from the Sale of any Dogs in pursuance of this Section shall be applied in the Manner in which Penalties under this Act are applicable.

When, upon Complaint that any Dog has bitten or attempted to bite any Person within the Metropolis, it appears to the Magistrate having Cognizance of such Complaint that such Dog ought to be destroyed, the Magistrate may direct the Dog to be destroyed, and any Police Constable may destroy the same accordingly; and all Dogs detained by the Police under this Section shall be properly fed and maintained.

Shoeblacks and Messengers.

As to the Licensing Shoeblacks and Messengers.

19. The Commissioner of Police may, if he thinks fit, from Time to Time license Street Shoeblacks, and Commissionaires or Messengers, to exercise their Calling, and appoint Places at which they may stand to exercise their respective Callings, and direct the Numbers of each Class who may stand at the appointed Places.

Obstructions at Standings prohibited.

20. Every Shoeblack, and Commissionaire or Messenger, other than those authorized by the Commissioner of Police, who occupies the Standings appointed by the said Commissioner, or who remains there after being required by a Constable on Duty to leave, and every Person molesting or obstructing any authorized Shoeblack, Commissionaire, or Messenger in the Exercise of his Calling, and every Person not being an authorized Shoeblack or Commissionaire who fraudulently puts on or imitates the Dress, or takes the Name, Designation, or Character, of any authorized Shoeblack or Commissionaire, shall for each Offence be liable to a Penalty not exceeding Forty Shillings.

Amendment of Sects. 39. and 40. of of 2 & 3 Vict. c. 47. relating to Fairs.

21. And whereas it is expedient to amend the Thirty-ninth and Fortieth Sections of the Act of the Session of the Second and Third Years of the Reign of Her present Majesty, Chapter Forty-seven: The Word "holden" shall be substituted for the Words "usually holden" throughout the said Sections.

22. The

Placard, &c. may be affixed to Lamp Post.

22. The said Secretary of State or the Commissioner of Police may cause to be attached to any Lamp Post any Placard or Signal he may think expedient for the Purpose of carrying into effect the Provisions of this Act.

Prohibition of betting in Streets.

23. Any Three or more Persons assembled together in any Part of a Street within the Metropolis for the Purpose of betting shall be deemed to be obstructing the Street, and each of such Persons shall be liable to a Penalty not exceeding Five Pounds; and within the City of *London* and the Liberties thereof any Constable of the City Police Force, and without such Limits any Constable of the Metropolitan Police Force, may take into Custody, without Warrant, any Person who may commit such Offence in View of such Constable.

Extension of Sect. 52. of 2 & 3 Vict. c. 47.

24. The Powers vested in the Commissioners of Police by the Fifty-second Section of the Act of the Session of the Second and Third Years of the Reign of Her present Majesty, Chapter Forty-seven, with respect to keeping Order in the Streets and preventing Obstructions, may be exercised within the City and the Liberties thereof by the City Commissioner of Police on all Occasions when a Street is thronged or liable to be obstructed.

Inhabitants of City of London to place Dust, &c. on the Curbstone before Eight o'Clock in the Morning.

25. Notwithstanding anything contained in any Act of Parliament, it shall be lawful for the Inhabitants in all such Streets within the City of *London* or the Liberties thereof as may from Time to Time be named by an Order of the Commissioners of Sewers to deposit before Eight o'Clock in the Morning on the Curbstone of the Foot Pavement in a Box or Barrel all Ashes, Dust, or Refuse, so that the same may be removed by the Scavenger.

No Fare to be less than 1*s*.

26. Where the Fare now payable by Law on hiring any Hackney Carriage standing on any Stand shall not amount to One Shilling the Driver shall be entitled to charge One Shilling.

Penalties.

27. Penalties under this Act within the City of *London* and the Liberties thereof shall be recovered and applied in manner directed by a Local Act passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Ninety-four, and intituled *An Act for regulating the Police in the City of* London, and beyond the Limits of the City of *London* and the Liberties thereof shall be recovered and applied in manner directed by the Acts relating to the Metropolitan Police.

All Powers conferred by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred by any

any other Act of Parliament, and any such other Powers may be exercised as if this Act had not passed.

Construction of Act.

28. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the Acts relating to the Metropolitan Police and to the City Police.

Commencement of Act.

29. This Act shall not come into operation until the First Day of *November* One thousand eight hundred and sixty-seven.

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" Person to any Cathedral Preferment or any Benefice throughout " *England* and *Wales* by any Officer, Secretary, Clerk, or Minister " to whom belong the Duties of preparing, sealing, transacting, or " doing any of such Instruments, Matters, and Things; and before " the Fees contained in such Tables or such amended Tables shall " be demanded, taken, or received by any of the said Persons, such " Tables or amended Tables shall be submitted to Her Majesty's " Privy Council, who may disallow the same or any Part thereof, " and Notice shall be given in the *London Gazette* of such Sub- " mission to the Privy Council; and if within the Space of Three " Months from the Time of giving such Notice the same shall " not be disallowed, such Fees or such Parts thereof as shall not " be disallowed shall from and after the Expiration of the said " Three Months be deemed and taken to be lawful Fees, and " thenceforward such Fees and none others, save only such as may " be altered or subsequently ordained as before provided, shall be " demanded, taken, or received by any of such Officers, Secre- " taries, Clerks, or Ministers respectively under any Colour or " Pretence whatsoever: Provided always, that the said Persons " shall not ordain or establish any Fees exceeding the Fee which " for the Twenty Years next preceding the passing of this Act " shall have been usually taken for or in respect of the same " Instrument, Matter, or Thing in case of Admission to any " Cathedral Preferment or any Benefice within the Diocese of " *London:* Provided also, that the said Persons shall have Power " to ordain graduated Scales of Fees in respect of Benefices below " the yearly Value of Five hundred Pounds:" And whereas the Fees payable to Chancellors or Vicars General, Registrars, Secretaries, and other Officers of Archbishops and Bishops on the Consecration of Churches, Chapels, Cemeteries, and Burial Grounds, the Grant of Faculties, and on the Ordination of Deacons and Priests, and to Chancellors or Vicars General, Registrars, and other Officers of Archbishops and Bishops, and to Archdeacons and their Officials, on Visitations of Archbishops and Bishops and Archdeacons respectively, vary in the several Dioceses of such Archbishops and Bishops, and it is expedient that the same Fees be assimilated:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers to Archbishop of Canterbury, &c., with Consent

1. From and after the passing of this Act the Archbishop of *Canterbury*, the Lord Chancellor, and the Archbishop of *York*, with the Assistance of the Vicars General of the said Two Archbishops, may from Time to Time, with the Consent of the Lords Commissioners

sioners of Her Majesty's Treasury, settle a Table or Tables of the Fees and Payments to be made to Chancellors or Vicars General, Registrars, Secretaries, and other Officers on the Consecration of Churches, Chapels, Cemeteries, and Burial Grounds, on and incidental to the Grant of Faculties, and on the Ordination of Deacons and Priests, and to the Chancellors or Vicars General, Registrars, and other Officers of Archbishops and Bishops, and to Archdeacons and their Officials, and other Officers, on the Visitation of such Archbishops and Bishops and Archdeacons respectively, which Table or Tables of Fees shall be submitted to Her Majesty's Privy Council, who may disallow the same or any Part thereof, and Notice shall be given in the *London Gazette* of such Submission to the Privy Council; and if within the Space of Three Months from the Time of giving such Notice the same shall not be disallowed, such Fees, or such Parts thereof as shall not be disallowed, and none others, shall thenceforward be demanded, taken, or received by such Officers and Persons, and on such Occasions respectively, as herein-before mentioned; and the Provisions of the said recited Act as to the Fees therein mentioned, so far as the same may be applicable, shall, except as herein otherwise provided, extend and be applied to the Tables of Fees to be settled under this Act: Provided always, that nothing in this Act shall extend to render lawful the Demand of any Fee whatever from any Person by whom, or for the Performance of any Duty for which, no Fee is now by Law payable, nor to enable the Persons herein-before in that Behalf authorized to ordain or establish any Fee exceeding the Fee which for the Twenty Years next preceding the passing of this Act shall have been usually taken for or in respect of the same Matter within the Diocese of *London*: Provided also, that every such Table of Fees, when allowed by the Privy Council, shall be laid before Parliament within Thirty Days, if Parliament is then sitting, and if not, then within Thirty Days after the then next meeting of Parliament.

of Treasury, to settle Tables of Fees to be taken.

Tables of Fees to be submitted to Privy Council, who may disallow the same, or Part thereof.

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CAP. CXXXVI.

An Act to enable the Courts of Referees to administer Oaths and award Costs in certain Cases, in the same Manner as Committees on Private Bills. [20th *August* 1867.]

WHEREAS it is expedient to enable the Courts of Referees on Private Bills in certain Cases to administer Oaths and to award Costs in the same Manner as Committees on Private Bills:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Court of Referees to administer Oaths to Witnesses.

1. Any Court of Referees may examine Witnesses upon Oath upon such Matters relating to any Bill as they may under any Standing Order or other Order of the House of Commons be empowered to inquire into, and for that Purpose may administer an Oath to any such Witness.

Witnesses falsely deposing guilty of Perjury.

2. Any Person examined as aforesaid who shall wilfully give false Evidence shall be liable to the Penalties of Perjury.

3. Any

Courts of Referees.

Power to award Costs.

3. Any Court of Referees on Private Bills, in Cases in which, under any Standing Order or other Order of the House, the Referees may be empowered to inquire into the whole Subject Matter of any such Bill, and to report it, with or without Amendments, to the House, may award Costs in the same Manner as Select Committees on Private Bills are empowered to award Costs by an Act passed in the Twenty-eighth Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for awarding Costs in certain Cases of Private Bills*, and all the Provisions of the said Act shall apply in the Case of Bills so referred to the Referees.

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Canonry, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, or Canon thereof, or, whensoever such Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry should be void, to disappropriate, disunite, and divest any Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, from and out of any Archbishopric, Bishopric, Deanery, or Archdeaconry, Dignity, Prebend, or Canonry, and to unite any such Rectory, Vicarage, Tithes or Portions of Tithes, to the Vicarages and Perpetual and other Curacies of such Parishes respectively, so that each such Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, should, with its respective Vicarage, Perpetual or other Curacy, form a distinct Parish or Benefice, and that where there was not any Vicar or Curate in any Parish which, or the Tithes or any Portions of the Tithes, and Glebes whereof, might be appropriated or united to any Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, it should and might be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Council, if they should so think fit, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, or Canon thereof, or, whensoever such Archbishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry should be void, to disappropriate, disunite, and divest such, Parish, and all Tithes, Portions of Tithes, or Glebes, thereunto belonging, from and out of such Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, and, if they should so think fit, to order and direct that such Parish, Tithes or Portions of Tithes, or Glebes, so disunited, should be and become for ever a separate Benefice and Parish, or, if they should not think fit to erect the same into a separate Benefice or Parish, to order and direct that such Parish, Tithes or Portions of Tithes, or Glebes, so disunited, should (subject as therein mentioned) be transferred to the Ecclesiastical Commissioners for *Ireland*:

And whereas, in exercise of the aforesaid Powers, Orders have from Time to Time been made by the Lord Lieutenant or other Chief Governor or Governors and Council for disappropriating or disuniting certain Benefices, Tithes, and Glebes theretofore united with or appropriated to certain of the Dignities aforesaid, and for the Transfer of the same to the Ecclesiastical Commissioners aforesaid:

And whereas Doubts have arisen whether some of the Orders for Disappropriation and Transfer to the said Commissioners so made as aforesaid are valid, and it is expedient to remove such Doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. All

Church Temporalities Orders (Ireland) Validation, &c.

All Transfers heretofore made to be valid.

1. All Orders heretofore made by the Lord Lieutenant or other Chief Governor or Governors and Council aforesaid, purporting to be in the Exercise of the Powers herein-before recited, and to transfer to the said Ecclesiastical Commissioners any Tithes, Portions of Tithes, or Glebes to any Parish belonging, by such or any other Orders disappropriated or divested, or purporting to be disappropriated or divested, from any Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, shall be valid and effectual in Law, notwithstanding that in any such Parish there was at the Date of any such Order a Vicar or Curate discharging the Duties thereof; and notwithstanding as aforesaid, all Leases, Renewals, or Grants in perpetuity of any Tithes or Glebes by such Orders intended or purported to be so disappropriated or divested, and transferred to such Commissioners, which have been heretofore made by such Commissioners, shall be valid and effectual against all Persons whatsoever, being or claiming to be Rectors, Vicars, or other Ecclesiastical Incumbents of any of such Parishes, whether appointed before or after the making of such Orders respectively: Provided that nothing herein-before contained shall alter, affect, or prejudice the Rights, if any, of any Person, or of the personal Representatives of any Person, who at the Date of any such Order was such Vicar or Curate of any such Parish, save that such Rights, if any, shall be capable of being enforced only against the General Fund under the Administration of the Ecclesiastical Commissioners for *Ireland*, and not against the Lessees or Grantees of said Tithes or Glebes.

Leases or Grants heretofore made or hereafter to be made by Commissioners to be valid.

Increase of Stipend of Incumbents of Ballymore, Forgney, and Enniskeen.

2. And whereas by an Order of the Lord Lieutenant and Council aforesaid, made on the Fourteenth Day of *December* One thousand eight hundred and forty, being One of the Orders herein-before mentioned, the Lord Lieutenant and Privy Council did (amongst others) direct that the Rectories and demised Rectorial Tithes of the several Parishes of *Ardagh*, *Ballymore*, *Bonowen*, *Enniskeen*, *Forgney* and *Noughill* otherwise *Nohoval*, *Nobber* and *Loughbraccan*, *Rathcore*, and *Trim* should be disappropriated, disunited, and divested from and out of the Bishopric of *Meath*, and that the said Rectories and Rectorial Tithes should be transferred to the Ecclesiastical Commissioners for *Ireland*, and that the Right and Interest in and to the same should vest in the said Commissioners, and should be by them carried to the General Fund under their Administration, charged with certain annual Payments by said Order directed to be by them paid, and (amongst others) with the annual Payment of the Sums of One hundred and fifty-five Pounds, One hundred and eighty-one Pounds Two Shillings, and One hundred and fifty-six Pounds Ten Shillings to the then Incumbents of the Perpetual Cures of *Ballymore*, *Forgney*, and *Enniskeen* respectively, and to their respective Successors Incumbents of the said Cures:

And

And whereas the said Incumbents of *Ballymore*, *Forgney*, and *Enniskeen* have the Cure of Souls in large and extensive Districts, and it is expedient to increase the annual Sums by the said Order to be paid to them respectively:

Be it therefore enacted, That from and after the passing of this Act the said General Fund under the Administration of the said Commissioners shall be charged with and subject to the Payment of the following annual Sums; that is to say, Two hundred and five Pounds to the present Incumbent of *Ballymore*, and to his Successors Incumbents of the said Cure for ever; Three hundred Pounds to the present Incumbent of *Forgney* and *Noughill* otherwise *Nohoval*, and to his Successors Incumbents of the said Cure for ever; and Three hundred and twenty Pounds to the present Incumbent of *Enniskeen*, and to his Successors Incumbents of the said Cure for ever; and the said Sums of Two hundred and five Pounds, Three hundred Pounds, and Three hundred and twenty Pounds shall be paid to the said Incumbents respectively, and to their respective Successors Incumbents of the said Cures, by the said Commissioners, in lieu and full Discharge of the annual Payments by the said Order directed to be by them made to the Incumbents of the said Cures and to their Successors; and the said Incumbent of *Forgney* and *Noughill* and his Successors shall have the Cure of Souls of the whole of said Parishes of *Forgney* and *Noughill*, whether same were included within the District of the Perpetual Curacy thereof or not, and shall perform the Spiritual Duties thereof accordingly: Provided that it shall be lawful for the said Ecclesiastical Commissioners, if they shall so think fit, hereafter to increase the annual Sum hereby made payable to the Incumbent of *Ballymore* by any Sum not exceeding Twenty-five Pounds, and to increase the annual Sum hereby made payable to the Incumbent of *Forgney* and *Noughill* by any Sum not exceeding Thirty Pounds.

Incumbents of Benefices so disappropriated to be styled Rectors.

3. Every Incumbent of any Benefice so disappropriated or divested as aforesaid shall henceforth be styled the Rector of such Parish if same was a Rectory, and the Vicar of such Parish if same was a Vicarage, at the Time of its being so disappropriated or divested, and shall be instituted and inducted accordingly; but he shall not by reason thereof become or be entitled to any Property or Rights in or to any such Benefice, or the Tithe Rentcharges or Glebe Lands thereof which he would not otherwise possess or enjoy.

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of Advances may be extended.

Payment of Interest or otherwise, as the last-mentioned Commissioners may think proper to impose, it shall be lawful for the Public Works Loan Commissioners, by any Writing under the Hand of their Secretary for the Time being, to consent that the Time for Repayment of all or any Part of the Principal Money remaining due in respect of any such Advance shall be extended to any Day not later than Twelve Calendar Months from the Day when the same Advance shall become due by the Terms of the Debenture or other Security given or to be given for securing the same, and after any such Consent shall have been given, and for all the Purposes of The Railway Companies (*Ireland*) Temporary Advances Act, 1866, the Principal Money secured by any Debenture or other Security given or to be given under that Act shall be deemed to have become due only on the Day to which the Time for Repayment of such Principal Money shall be extended by any Consent to be given as provided by this Act, and all Powers and Provisions for recovering and compelling Payment of such Principal Money shall be read and have Effect accordingly; provided that in the Case of any Extension of Time for the Repayment of any such Principal Money the Rate of Interest thereupon until such Repayment shall not be less than that at which the Advance was originally made.

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Nothing contained in recited Act to render legal Works executed by Board injuriously affecting Land.

2. It is hereby declared, That as against any Person owning or interested in any Land or other Property situate beyond the Limits of the Jurisdiction of the Board established by this Act, nothing contained in the said Drainage and Improvement of Lands Act (*Ireland*), 1863, or in the said Provisional Orders, or in this Act, shall be construed to render legal any Work executed or to be executed by such Board that would if said Acts had not been passed have been illegal, by reason of its injuriously affecting such Land or Property; and any Damages adjudged to be paid by the said Board to any Person as aforesaid shall be deemed to be Part of the Costs incurred by such Board in defending legal Proceedings instituted against them, and shall be defrayed in manner in which the said Costs are authorized to be defrayed by "The Drainage and Improvement of Lands Act (*Ireland*), 1863."

Short Title.

3. This Act may be cited for all Purposes as "The Drainage and Improvement of Lands Supplemental Act (*Ireland*), 1867."

SCHEDULE to which this Act refers.

PART I.

Drainage and Improvement of Lands Act (Ireland), 1863, 26th and 27th Vict. Cap. 88., 27th and 28th Vict. Cap. 72., 28th and 29th Vict. Cap. 52.

In the Matter of Quinagh Drainage District in the County of Carlow.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Quinagh River, on or about the 2d Day of March 1867 presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information required by the said Act, showing by Reference to the said Maps the Boundaries and Area of the Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that the said Lands within the proposed District should be constituted a separate Drainage District under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us the said Commissioners in Writing the Result of his Inquiries, and we the said Commissioners have duly considered the same, and no Objections to the Report of the said Inspector have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with: And whereas we the said Commissioners of Public Works in Ireland, upon Consideration of the Premises, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented thereto in Writing: Now therefore, in pursuance of the Power given to us by the said Act, we the Commissioners of Public Works in Ireland, do by this Provisional Order under our Common Seal constitute the Area in the said Petition and Report (and the Boundaries and Extent of which are set forth within Yellow Lines in certain Maps to which we have caused our Common Seal to be attached, and which Maps are deposited in the Office of Public Works in Ireland,) a separate Drainage District by the Name of "The Quinagh Drainage District," and we do declare that the Lands to be purchased for the proposed Works in such District (subject to such Alterations and Deviations therefrom as we the said Commissioners may hereafter sanction) are the Lands in that Behalf shown and set forth in the said Maps and the Schedule thereto annexed marked with the Letter B., and also sealed with our Common Seal.

And we the said Commissioners of Public Works do by this our Order order and direct that the Time for Completion of the necessary Works in the said District

District shall be limited to the 1st Day of March which will be in the Year 1869.

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Three Members:

That the following Persons shall be the Members of the First Drainage Board; viz.,

George Alexander of Ruvindon, Leighlin Bridge in the County of Carlow, Esquire:

John Alexander of Milford House in the County of Carlow, Esquire:

William Johnson of Prumplestown in the County of Carlow, Esquire:

That the First Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette and some Newspaper generally circulated in the said District at least Fourteen Days next before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be that he shall be the Proprietor, as defined by the said Act and the Acts referred to therein or incorporated therewith, of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District, and acting as Receiver of the Rents and Profits of such Lands:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order.

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Lands of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District.

In witness whereof we the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this 25th Day of July 1867.

E. Hornsby,
Secretary.

Seal.

Office of Public Works,
Dublin.

PART II.

Drainage and Improvement of Lands Act (Ireland), 1863, 26th and 27th Vict. Cap. 88., 27th and 28th Vict. Cap. 72., 28th and 29th Vict. Cap. 52.

In the Matter of Parsonstown Drainage District in the County of Tipperary and King's County.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Little Brosna River on or about the 31st Day of December 1866 presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions

visions of "The Drainage and Improvement of Lands Act (Ireland), 1863," accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information required by the said Acts, showing by Reference to the said Maps the Boundaries and Area of the Drainage District, and stating the Exigencies rendering the Formation of such Drainage District necessary, and praying that the said Lands within the proposed District should be constituted a separate Drainage District under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel Usher Roberts, Esquire, Civil Engineer, an Inspector duly appointed under said Act: And whereas all Notices and Inquiries required by the said Act have been duly given and made, and the said Inspector has duly reported to us the said Commissioners in Writing the Result of his Inquiries, and we the said Commissioners have duly considered the same, and no Objections to the Report of the said Inspector have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order have been performed and complied with: And whereas we the said Commissioners of Public Works in Ireland, upon Consideration of the Premises, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts in Value of the Lands in the proposed District are in favour thereof, and have subsequently to the Date of the Report of the said Inspector assented in Writing: Now therefore, in pursuance of the Power given to us by the said Act, we, the Commissioners of Public Works in Ireland, do by this Provisional Order under our Common Seal constitute the Area in the said Petition and Report, and the Boundaries and Extent of which are set forth within Yellow Lines on certain Maps to which we have caused our Common Seal to be attached, and which Maps are deposited in the Office of Public Works in Ireland, a separate Drainage District by the Name of "The Parsonstown Drainage District," and we do declare that the Lands to be purchased for the proposed Works in such District (subject to such Alterations and Deviations therefrom as we the said Commissioners may hereafter sanction) are the Lands in that Behalf shown and set forth in the said Maps and the Schedule thereto annexed, marked with the Letter B., and also sealed with our Common Seal; and we the said Commissioners of Public Works do by this our Order order and direct that the Time for Completion of the necessary Works in the said District shall be limited to the 1st Day of March which will be in the Year 1870.

And we do further by this our Provisional Order make the following Regulations with respect to the Drainage Board:

That the Drainage Board for the said District shall consist of Ten Members:

That the following Persons shall be the Members of the First Drainage Board; viz.—

The Right Honourable the Earl of Rosse of Birr Castle, King's County:
Michael Bernard Mullins, Esquire, of Ballyeigan, King's County:
John Lloyd, Esquire, of Gloster, County Tipperary:
Thomas Hackett, Esquire, of Moor Park, King's County:
John Julian, Esquire, Lower Sackville Street, Dublin, and John Rutherford, Esquire, of Clonoghill, King's County, Trustees of Charles B. Baldwin's Estate:
Captain George Garvey, R.N., of Parsonstown, King's County:
Major William T. Bruce of Parsonstown, King's County:
George Smith, Esquire, of Gurteen, King's County:
Francis H. Toone, Esquire, of Ballincor, King's County:
Robert Dowd, Esquire, of Brosna Mills, County Tipperary:

That the First Meeting of the said Board shall be summoned by Notice under the Hands of any Two or more of the said Board, published in the Dublin Gazette, and some Newspaper generally circulated in the said District, at least Fourteen Days next before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be that he shall be the Proprietor, as defined by the said Act and the Acts referred to therein or incorporated therewith, of not less than Twenty Acres of Land situate within the Area of the said District, or the Land Agent for the Time being of a Person being a Proprietor as aforesaid of not less than One hundred Acres of Land situate within the Area of said District, and acting as Receiver of the Rents and Profits of such Lands:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Boards shall be the Persons in that Behalf mentioned in the said Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Lands of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District.

In witness whereof we the said Commissioners of Public Works in Ireland have hereunto caused our Common Seal to be affixed, this 25th Day of July 1867.

E. Hornsby,
Secretary.

Seal.

Office of Public Works,
Dublin.

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CAP. CXL.

An Act to authorize a Sale or Lease of the Royal Military Canal and its collateral Works; and for other Purposes. [20th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The Royal Military Canal Act, 1867.

Meaning of "Secretary of State."

2. In this Act the Term "the Secretary of State for War" means such one of Her Majesty's Principal Secretaries of State for the Time being as Her Majesty is pleased to intrust with the Seals of the War Department.

Power to sell or demise Canal and collateral Works.

3. The Secretary of State for War may at any Time, or from Time to Time, sell and convey or demise, for or at such Consideration or Rent, in such Manner, on such Terms, and subject to such Conditions, Reservations, and Provisions as he thinks fit, to any Persons or Body willing and competent to purchase or take a Demise

of the same, all or any Part or Parts of the Canal called the Royal Military Canal, extending from *Shorncliffe* in the County of *Kent* to *Cliff End* in the County of *Sussex*, and of the Military Road and Towing-path and other Works connected therewith, and of the Lands, Buildings, Rights, Easements, and Appurtenances held or enjoyed therewith or for the Purposes thereof.

Rules and Regulations for public User.

4. With respect to Section Two of the Act described in the Schedule to this Act, the Rules and Regulations under that Section in force at the Date of any Conveyance or Lease under this Act shall remain in force, with Power to the Purchasers or Lessees, with the Approval of the Secretary of State for War, from Time to Time to alter the same.

Rates and Tolls.

5. With respect to Section Three of the same Act, the Rates and Tolls demandable at the Date of any such Conveyance or Lease shall continue demandable, with Power to the Purchasers or Lessees, with the Approval of the Secretary of State for War, from Time to Time to alter the same.

Poor Rates, &c.

6. Section Thirty-two of the same Act shall not extend to exempt the Purchasers or Lessees in any respect from any such Rate or Charge as therein mentioned.

Payment of Purchase Money.

7. In case of Sale the Purchase Money shall be paid to Her Majesty's Paymaster General, whose Receipt shall be an effectual Discharge for the same.

Application of Sects. 14 and 15 to 5 & 6 Vict. c. 94.

8 In case of Sale Sections Fourteen and Fifteen of The Defence Act, 1842, shall have effect in relation thereto.

SCHE-

SCHEDULE.

47 Geo. 3. Sess. 2. c. 70.—An Act for maintaining and preserving a Military Canal and Road, made from Shorncliff in the County of Kent to Cliff End in the County of Sussex; and for regulating the taking of Rates and Tolls thereon.

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Manager, or Factor of such Person, Firm, Corporation, or Company:

The Word "Employed" shall include any Servant, Workman, Artificer, Labourer, Apprentice, or other Person, whether under the Age of Twenty-one Years or above that Age, who has entered into a Contract of Service with any Employer:

The Words "Contract of Service" shall include any Contract, whether in Writing or by Parol, to serve for any Period of Time, or to execute any Work, and any Indenture or Contract of Apprenticeship, whether such Contract or Indenture has been or is made or executed before or after the passing of this Act:

The Word "Parties" shall include the Employer and Employed under any Contract of Service:

The Word "Writing" shall include "Printing:"

The Word "Property" shall include all Real and Personal Estate and Effects used and employed under or affected by any Contract of Service or Operations under the same:

The Word "Sheriff" applies to *Scotland* only, and shall include Sheriff Substitute:

The Words "County or Place" shall include County, Riding, Division, Liberty, City, Borough, or Place:

The Word "Magistrate" does not apply to *Scotland*, and means in *England*, except in the City of *London*, a Stipendiary Magistrate, and in the City of *London* means the Lord Mayor or an Alderman sitting at the Mansion House or at the Guildhall, and in *Ireland* shall apply only to the Metropolitan Police District of *Dublin*, and there shall mean One of the Divisional Magistrates for such District:

The Word "Justice" means Justice of the Peace:

The Words "Two Justices" mean Two or more Justices assembled and acting together:

The Words "Justice," "Two Justices," "Magistrate," and "Sheriff" respectively mean a Justice, Two Justices, a Magistrate, and a Sheriff having Jurisdiction in the County or Place where any Contract of Service is according to the Terms thereof to be executed, or where the Party against whom any Information, Complaint, or Proceeding is to be laid or taken under this Act happens to be.

Limitation of Scope of this Act, and Substitution thereof for existing Enactments.

3. Nothing in this Act shall apply to any Contract of Service other than a Contract within the Meaning of the Enactments described in the First Schedule to this Act, or some or One of them, or to any Employer or Employed other than the Parties to a Contract of Service to which this Act applies as aforesaid, or

to

to any Case, Matter, or Thing arising under or relating to any Contract of Service, or arising between Employer and Employed, other than Cases, Matters, and Things to which the said Enactments respectively apply; and in respect of all Contracts of Service, Employers, Employed, Cases, Matters, and Things to which this Act applies, the respective Provisions of this Act shall be deemed to be and are hereby substituted for such of the said Enactments, or so much or such Parts of the same, as would have applied thereto if this Act had not been passed; but any Proceedings at the passing of this Act pending under the said Enactments, or any of them, may be continued and prosecuted as if this Act had not been passed.

Complaint to be made before a Justice or Magistrate in England, Wales, and Ireland, and before a Justice or Sheriff in Scotland.

4. Wherever the Employer or Employed shall neglect or refuse to fulfil any Contract of Service, or the Employed shall neglect or refuse to enter or commence his Service according to the Contract, or shall absent himself from his Service, or wherever any Question, Difference, or Dispute shall arise as to the Rights or Liabilities of either of the Parties, or touching any Misusage, Misdemeanor, Misconduct, Ill-treatment, or Injury to the Person or Property of either of the Parties under any Contract of Service, the Party feeling aggrieved may lay an Information or Complaint in Writing before a Justice, Magistrate, or Sheriff, setting forth the Grounds of Complaint, and the Amount of Compensation, Damage, or other Remedy claimed for the Breach or Nonperformance of such Contract, or for any such Misusage, Misdemeanor, Misconduct, Ill-treatment, or Injury to the Person or Property of the Party so complaining; and upon such Information or Complaint being laid, the Justice, Magistrate, or Sheriff shall issue or cause to be issued a Summons or Citation to the Party so complained against, setting out the Grounds of Complaint, and the Amount claimed for Compensation, Damage, or other Remedy, as set forth in the said Information or Complaint, and requiring such Party to appear, at the Time and Place therein appointed, before Two Justices or before a Magistrate, or before the Sheriff, to answer the Matter of the Information or Complaint, so that the same may be then and there heard and determined.

Upon Complaint made, Summons or Citation to be issued.

Time for Appearance.

5. The Time to be appointed in the Summons or Citation for the Appearance of the Party complained against shall not be less than Two or more than Eight Days from the Date of the Summons or Citation, save that where the Appearance is to be before Justices in Petty Sessions, or before a Magistrate at a Police Court, the Time to be appointed shall be that of the Sitting of the Court of Petty Sessions or Police Court at or for the Place where the Summons

Summons or Citation is returnable, to be held next after such Two Days (whether within such Eight Days or not).

Mode and Time of Service.

6. Every such Summons or Citation shall be served on the Party complained against by being delivered to him or left at his usual Place of Abode or Business not less than Two Days before the Time appointed for his Appearance.

On Neglect or Refusal to obey Summons or Citation, Warrant to issue.

7. Wherever the Party complained against shall neglect or refuse to appear to any Summons or Citation as aforesaid according to the Provisions of this Act, a Justice, Magistrate, or Sheriff may, after due Proof on Oath of the Service of such Summons or Citation, issue a Warrant for the Apprehension of such Party in order to the hearing and determining of the Matter of the Information or Complaint.

In case of Intention to abscond, Security to be found for Appearance.

8. If at any Time after the laying of the Information or Complaint it appears to a Justice, Magistrate, or Sheriff that the Party complained against is about to abscond, the Justice, Magistrate, or Sheriff may issue a Summons or Citation requiring the Party complained against to appear before a Justice, Magistrate, or Sheriff at a Time and Place therein appointed (such Time being not later than Twenty-four Hours, exclusive of *Sunday*, from the Date of the last-mentioned Summons or Citation), and to find good and sufficient Security by Recognizance or Bond, with or without Sureties, to the Satisfaction of a Justice, Magistrate, or Sheriff, for his Appearance to answer the Information or Complaint; and if the Party complained against fails to appear at the Time and Place so appointed, a Justice, Magistrate, or Sheriff may issue a Warrant for his Apprehension; and if such Party on appearing to the last-mentioned Summons or Citation, or on being so apprehended, fails so to find Security, a Justice, Magistrate, or Sheriff may order him to be detained in safe Custody until the hearing of the Information or Complaint; but on his so finding Security he shall be set at liberty.

Compensation may be awarded under Order of Two Justices, &c. for Breach or Nonperformance of Contract of Service, or other Order may be made.

9. Upon the Hearing of any Information or Complaint under the Provisions of this Act Two Justices, or the Magistrate or Sheriff, after due Examination, and upon the Proof and Establishment of the Matter of such Information or Complaint, by an Order in Writing under their respective Hands, in their or his Discretion, as the Justice of the Case requires, either shall make an Abatement of the whole or Part of any Wages then already due to the Employed, or else shall direct the Fulfilment of the Contract of Service, with a Direction to the Party complained against to find forthwith good and sufficient Security, by Recognizance or Bond,

Bond, with or without Sureties, to the Satisfaction of a Justice, Magistrate, or Sheriff, for the Fulfilment of such Contract, or else shall annul the Contract, discharging the Parties from the same, and apportioning the Amount of Wages due up to the completed Period of such Contract, or else where no Amount of Compensation or Damage can be assessed, or where pecuniary Compensation will not in the Opinion of the Justices, Magistrate, or Sheriff meet the Circumstances of the Case, shall impose a Fine upon the Party complained against, not exceeding in Amount the Sum of Twenty Pounds, or else shall assess and determine the Amount of Compensation or Damage, together with the Costs, to be made to the Party complaining, inclusive of the Amount of any Wages abated, and direct the same to be paid accordingly; and if the Order shall direct the Fulfilment of the Contract, and direct the Party complained against to find good and sufficient Security as aforesaid, and the Party complained against neglect or refuse to comply with such Order, a Justice, Magistrate, or Sheriff may, if he shall think fit, by Warrant under his Hand, commit such Party to the Common Gaol or House of Correction within his Jurisdiction, there to be confined and kept until he shall so find Security, but nevertheless so that the Term of Imprisonment, whether under One or several successive Committals, shall not exceed in the whole the Period of Three Months: Provided always, that the Two Justices, Magistrate, or Sheriff may, if they or he think fit, assess and determine the Amount of Compensation or Damage to be paid to the Party complaining, and direct the same to be paid, whether the Contract is ordered by them or him to be annulled or not, or, in addition to the annulling of the Contract of Service and Discharge of the Parties from the same, may, if they or he think fit, impose the Fine as herein-before authorized, but they or he shall not under the Powers of this Act be authorized to annul, nor shall any Provisions of this Act have the Effect of annulling, any Indenture or Contract of Apprenticeship that they or he might not have annulled or that would not have been annulled if this Act had not been passed.

Enforcement of Recognizance or Bond for Fulfilment of Contract.

10. Where it is alleged by any Party to a Contract of Service that the Condition of a Recognizance or Bond entered into or given for the Fulfilment of the Contract under the Provisions of this Act has not been performed, Two Justices, or a Magistrate or Sheriff, being satisfied thereof, after hearing the Parties and the Sureties (if any), or in the Absence of any Party or Surety not appearing after Summons or Citation in that Behalf, may order that the Recognizance or Bond be enforced for the whole or Part of the Sum thereby secured, as to the Justices, Magistrate, or

Sheriff seems fit; and the Sum for which the same is so ordered to be enforced shall be recoverable accordingly in a summary Manner under the Acts described in the Second Schedule to this Act.

Recovery of Money by Distress or Poinding, and Imprisonment in default.

11. Where on the Hearing of an Information or Complaint under this Act an Order is made for the Payment of Money, and the same is not paid as directed, the same shall be recovered by Distress or Poinding of the Goods and Chattels of the Party failing to pay, and in default thereof by Imprisonment of such Party, according and subject to the Acts described in the Second Schedule to this Act; but no such Imprisonment shall be for more than Three Months, or be with Hard Labour.

Imprisonment to be in discharge of Compensation.

12. From and after the Expiration of the Term of any such Imprisonment as aforesaid, the Amount of Fine, Compensation, or Damages, together with the Costs, so assessed and directed to be paid by any such Order as aforesaid, shall be deemed and considered as liquidated and discharged, and such Order shall be annulled accordingly, and the said Parties exonerated from their respective Obligations under the same: Provided always, that no Wages or any Portion thereof which may be accruing due to the Employed under any Contract of Service after the Date of such Order shall be assessed to the Amount of Compensation or Damages and Costs directed to be paid by him under any such Order or Warrant of Distress or Poinding, or be seizable or arrestable under the same.

Wages exempt from Order, Distraint, Poinding, or Arrestment.

Application of Fines and Money recovered.

13. Where Justices, or a Magistrate or Sheriff, impose any Fine or enforce any Sum secured by a Recognizance or Bond under this Act, they or he may, if they or he think fit, direct that a Part, not exceeding One Half, of such Fine or Sum, when recovered, be applied to compensate an Employer or Employed for any Wrong or Damage sustained by him by reason of the Act or Thing in respect of which the Fine was imposed, or by reason of the Non-fulfilment of the Contract of Service.

Punishment for aggravated Misconduct, &c.

14. Where on the Hearing of an Information or Complaint under this Act it appears to the Justices, Magistrate, or Sheriff that any Injury inflicted on the Person or Property of the Party complaining, or the Misconduct, Misdemeanor, or Ill-treatment complained of, has been of an aggravated Character, and that such Injury, Misconduct, Misdemeanor, or Ill-treatment has not arisen or been committed in the *bonâ fide* Exercise of a legal Right existing, or *bonâ fide* and reasonably supposed to exist, and further, that any pecuniary Compensation or other Remedy by this Act provided

provided will not meet the Circumstances of the Case, then the Justices, Magistrate, or Sheriff may, by Warrant, commit the Party complained against to the Common Gaol or House of Correction within their or his Jurisdiction, there to be (in the Discretion of the Justices, Magistrate, or Sheriff,) imprisoned, with or without Hard Labour, for any Term not exceeding Three Months.

Party convicted may appeal to the next General Quarter Sessions of the Peace.

15. Any Party convicted by Two Justices or the Magistrate under the Provisions of the last preceding Section may appeal against the Conviction upon finding good and sufficient Security, by Recognizance or Bond, with or without Sureties, to the Satisfaction of a Justice or Magistrate, to prosecute the said Appeal at the next General Court of Quarter Sessions of the Peace to be holden in and for the County or Place wherein such Conviction shall have been made, and to abide the Result of the said Appeal according to the usual Procedure of such Court, and to pay such Costs as that Court may direct, which Costs that Court is hereby empowered to award.

Parties to the Contract of Service to be competent Witnesses.

16. Upon the hearing and determining of any Information or Complaint between Employer and Employed, and on any Appeal, under the Provisions of this Act, the respective Parties to the Contract of Service, their Husbands or Wives, shall be deemed and considered as competent Witnesses for all the Purposes of this Act.

Wages not to be payable during Imprisonment.

17. No Wages shall become payable to or recoverable by any Party for or during the Term of his Imprisonment under any Warrant of Committal under this Act.

Nothing to prevent Proceedings by Civil Action or Suit.

18. Nothing in this Act shall prevent Employer or Employed from enforcing their respective Civil Rights and Remedies for any Breach or Nonperformance of the Contract of Service by any Action or Suit in the ordinary Courts of Law or Equity in any Case where Proceedings are not instituted under this Act; nor shall anything in this Act affect the Provisions of the Act of the Fifth Year of King *George* the Fourth (Chapter Ninety-six), "to consolidate and "amend the Laws relative to the Arbitration of Disputes between "Masters and Workmen," or of any Act extending or amending the same. 5 G. 4. c. 96.

Saving for Indictments, &c.

19. Nothing in this Act shall interfere with the usual and accustomed Mode of Procedure in any Court of Criminal Judicature for the Trial of indictable Offences relating to wilful and malicious Injuries to Persons or Property committed by Masters, Workmen, Servants, or others, either at Common Law or under the several

several Statutes made and now in force for the Punishment of such Offences, but so that no Person be twice prosecuted for the same Offence.

No Objection to be taken for Defect in Forms.

20. The several Forms in the Third Schedule to this Act contained, or Forms to the like Effect, shall be deemed valid and sufficient in Law, and no Objection shall be taken or allowed for any alleged Defect therein, either in Substance or in Form, and in *Scotland* any Complaint under the Provisions of this Act, if brought before the Sheriff, may be in the Form of a summary Petition, and followed by the usual Forms of Procedure applicable to summary Petitions in the Sheriff Court; and the Forms set forth in the Third Schedule (Part 2.—*Scotland*) to this Act annexed, or Forms to the like Effect, may be used, and shall be sufficient for the Purposes thereof.

Application of summary Procedure Acts.

21. The Enactments described in the Second Schedule to this Act, and all Enactments extending or amending the same, shall apply and be put in force to and in respect of Proceedings under this Act, except as far as any Provision of this Act is inconsistent therewith.

Orders under Act final.

22. Except as in this Act expressly otherwise provided, every Order or Determination of a Justice, Justices, a Magistrate, or a Sheriff, shall be final and conclusive, notwithstanding anything in any of the Enactments described in the First Schedule to this Act.

Restriction on Certiorari.

23. No Writ of Certiorari or other Process shall issue to remove any Proceedings under this Act into any Superior Court.

Saving for special Jurisdictions.

24. Nothing in this Act shall take away or abridge any local or special Jurisdiction touching Apprentices.

Provision as to Ireland, &c.

25. Nothing in this Act shall extend or make applicable to or in *Ireland*, or to or in any Part of *Great Britain*, any of the Enactments described in the First Schedule to this Act not in force there independently of this Act.

Duration of Act.

26. This Act shall continue in force until the Expiration of One Year after the passing thereof, and to the End of the then next Session of Parliament, and no longer.

SCHE-

SCHEDULES.

THE FIRST SCHEDULE.

Enactments referred to.

7 Geo. 1. Stat. 1. c. 13. ss. 4. 6.—An Act for regulating the Journeymen Taylors within the Weekly Bills of Mortality.

9 Geo. 1. c. 27. s. 4.—An Act for preventing Journeymen Shoemakers selling, exchanging, or pawning Boots, Shoes, Slippers, cut Leather, or other Materials for making Boots, Shoes, or Slippers, and for better regulating the said Journeymen.

13 Geo. 2. c. 8. ss. 7, 8.—An Act to explain and amend an Act made in the First Year of the Reign of Her late Majesty Queen Anne, intituled An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom; and for extending the said Act to the Manufactures of Leather.

20 Geo. 2. c. 19.—An Act for the better adjusting and more easy Recovery of the Wages of certain Servants; and for the better Regulation of such Servants and of certain Apprentices.

27 Geo. 2. c. 6.—An Act to repeal a Proviso in an Act made in the Twentieth Year of His present Majesty's Reign, intituled An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants and of certain Apprentices, which provides that the said Act shall not extend to the Stannaries in Devon and Cornwall.

31 Geo. 2. c. 11. s. 3.—An Act to amend an Act made in the Third Year of the Reign of King William and Queen Mary, intituled An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor, so far as the same relates to Apprentices gaining a Settlement by Indenture; and also to impower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry, touching their Wages, though such Servants are hired for less Time than a Year.

6 Geo. 3. c. 25.—An Act for better regulating Apprentices, and Persons working under Contract.

17 Geo. 3. c. 56. ss. 8. 19.—An Act for amending and rendering more effectual the several Laws now in being, for the more effectual preventing Frauds and Abuses by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and also for making Provisions to prevent Frauds by Journeymen Dyers.

33 Geo. 3. c. 55. ss. 1, 2.—An Act to authorize Justices of the Peace to impose Fines upon Constables, Overseers, and other Peace or Parish Officers, for Neglect of Duty, and on Masters of Apprentices for Ill-usage of such their Apprentices; and also to make Provision for the Execution of Warrants of Distress granted by Magistrates.

39 & 40 Geo. 3. c. 77. s. 3.—An Act for the Security of Collieries and Mines, and for the better Regulation of Colliers and Miners.

59 Geo. 3. c. 92. ss. 5, 6.—An Act to enable Justices of the Peace in Ireland to act as such, in certain Cases, out of the Limits of the Counties in which they actually are; to make Provision for the Execution of Warrants of Distress granted by them; and to authorize them to impose Fines upon Constables and other Officers for Neglect of Duty, and on Masters for Ill-usage of their Apprentices.

4 Geo. 4. c. 29.—An Act to increase the Power of Magistrates in Cases of Apprenticeships.

4 Geo. 4. c. 34.—An Act to enlarge the Powers of Justices in determining Complaints between Masters and Servants, and between Masters, Apprentices, Artificers, and others.

10 Geo. 4. c. 52.—An Act to extend the Powers of an Act of the Fourth Year of His present Majesty, for enlarging the Powers of Justices in determining Complaints between Masters and Servants to Persons engaged in the Manufacture of Silk.

5 & 6 Vict. c. 7.—An Act to explain the Acts for the better Regulation of certain Apprentices.

6 & 7 Vict. c. 40. s. 7.—An Act to amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein.

14 & 15 Vict. c. 92. s. 16.—The Summary Jurisdiction (Ireland) Act, 1851.

THE SECOND SCHEDULE.

Summary Procedure Acts applied.

England.

11 & 12 Vict. c. 43.—An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders.

28 & 29 Vict. c. 127.—The Small Penalties Act, 1865.

Scotland.

27 & 28 Vict. c. 53.—The Summary Procedure Act, 1864.

Ireland.

14 & 15 Vict. c. 93.—The Petty Sessions (Ireland) Act, 1851.

THE THIRD SCHEDULE.

Forms.

PART 1.—ENGLAND AND IRELAND.

(A.)

Information and Complaint.

to wit. } The Information and Complaint of *A.B.* of [*describe Place of Abode and Trade*] this Day made before me [*or us, One or more Justices or a Magistrate*] in and for the said [*County or Place*] against *C.D.* of [*describe Place of Abode and Trade*] for that [*here state the Matter of the Complaint, and the Amount claimed for Damages, or other Remedy, as in One of the Forms of Statements of Grounds of Complaint below*].

(Signed) *A.B.*

Exhibited to and before me the Day of 186 , at

J.S.

(B.)

Statements of the Matters or Grounds of Complaint for Insertion in the ordinary General Forms in Use by Justices.

(*a.*) *Neglecting to fulfil Contract.* That *A.B.* of (hereafter called the said Employed) being the Servant [*or* Workman, *or* Artificer, *or* Labourer, *or* Apprentice] of the said *C.D.* of (hereafter called the said Employer) in his Trade or Business

Business of a , under a certain Contract of Service [*or* Apprenticeship] for a Period now unexpired, [*or* to execute certain Work, namely, ,]* did on the Day of at in the said County, unlawfully neglect [*or* refuse], and has ever since neglected [*or* refused] to fulfil the said Contract [*or* to enter into *or* commence his Service according to the said Contract, *or* Apprenticeship, *or* has absented himself from the Service of the said Employer without just Cause or lawful Excuse]. [*Conclude as in Statement* (*e.*) *below.*]

(*b.*) *Dispute as to Rights.—Proceed to the Asterisk* * *in* (*a.*), *and then:* and that a certain Question, Difference, and Dispute has arisen between them as to the Right [*or* Liability] of the said Employed [*or* Employer] under the said Contract, namely, [*stating it*], which the said Employed [*or* Employer] claims should, *&c.* [*as the Fact is.*] [*Conclusion as* (*e.*) *below.*]

(*c.*) *Disputes as to Mis-usage, Misdemeanor, Misconduct, or Ill-treatment of either Party.—Proceed to the Asterisk* * *in* (*a.*), *and then:* and that a certain Question, Difference, and Dispute has arisen between them touching certain Ill-usage which the said Employed [*or* Employer] committed [*or* inflicted] upon the said Employer [*or* Employed]; [*or* touching a certain Misdemeanor which the said Employer committed], [*or* touching certain Misconduct which the said Employed was guilty of], [*or* touching certain Ill-treatment which the said Employed *or* Employer inflicted upon the said Employer *or* Employed], on the Day of at in the said County, namely, that he the said [*setting it out shortly*]. [*Conclusion as* (*e.*) *below.*]

(*d.*) *Dispute as to Injury to Person or Property of either Party.—Proceed to the Asterisk* * *in* (*a.*), *and then:* and that a certain Question, Difference, and Dispute has arisen between them touching a certain Injury which the said Employed [*or* Employer] inflicted to the Person of the said Employer [*or* Employed], [*or* to the Property of the said Employer *or* Employed], on the Day of at the Parish of in the said County. [*Conclusion as in* (*e.*) *below.*]

(*e.*) *Conclusion to either of the Forms* (*a.*) (*b.*) (*c.*) *and* (*d.*)—And the said Complainant, the Employer [*or* Employed] further says that the Amount of Compensation [*or* Damage] which he claims for the said Breach and Nonperformance of the said Contract [*or* for the said Mis-usage, *or* Misdemeanor, *or* Misconduct, *or* Ill-treatment, *or* Injury, *as the Case may be*,] is £ , and he prays that the said Employed [*or* Employer] may be summoned and adjudicated upon under Section of The Master and Servant Act, 1867.

(C.)

Forms of Adjudication upon Complaints, for Insertion in the ordinary General Forms of Conviction in England, and Orders in Ireland.

Do adjudge and order, in pursuance of The Master and Servant Act, 1867, that—

(*a.*) *Abatement of Wages.*—The Sum of , being the whole [*or* a Part] of the Wages now due to the said Employed, shall be abated therefrom. [*Costs as* (*f.*) *below.*]

(*b.*) *Order for Fulfilment of Contract.*—The said Employed [*or* Employer] shall fulfil the said Contract forthwith, [and, *if so*, that the said Employed, *or* Employer, shall forthwith find good and sufficient Security by Recognizance himself in the Sum of £ , and Two Sureties in the Sum of £ each, *or* One Surety in the Sum of £ , for the due Fulfilment of the said Contract]. [*Costs as* (*f.*) *below.*]

(*c.*) *Where Contract annulled, Wages apportioned and Fine imposed.*—The said Contract shall be annulled, and the said Parties thereto be forthwith discharged from the same, and we do apportion the Wages of to be due to the said Employed, to the completed Period of the said Contract. [*Costs as* (*f.*) *below.*]

(*d.*) *Where Fine imposed instead of Compensation.*—That the said Employer [*or* Employed] shall forfeit and pay the Fine or Sum of . [*Costs as* (*f.*) *below.*]

(*e.*) *Where Compensation, &c. assessed.*—Do assess, determine, and direct that the Sum of shall be paid by the said Employed [*or* Employer] to the said Employer [*or* Employed] as and for Compensation [*or* Damages] to him for the Breach and Nonperformance of the said Contract [*or, as the Case may be*]. [*Costs as* (*f.*) *below.*]

(*f.*) *Costs in all Cases.*—And that the said Employed [*or* Employer] shall pay to the said Employer [*or* Employed] the Sum of for his Costs incurred in this Behalf.

(D.)

(*a.*) *Statement of Complaint for Nonperformance of Condition of Recognizance given as Security for Fulfilment of Contract.—Proceed as in the Form* (*A.*) *and to the Asterisk* in the Statement* (*a.*), *and then:* and the said Employer [*or* Employed] having neglected and refused to fulfil the said Contract was duly summoned before *E.F., &c.* [*describe the Magistrate*] on the Day of and by him was, in pursuance of Section of The Master and Servant Act, 1867, ordered and directed to find Security for the Fulfilment of the said Contract, and in obedience thereto the said Employer [*or* Employed] duly entered into his own Recognizance in the Sum of £ , and *E.F.* and *F.G.* as his Sureties entered into a Recognizance in the Sum of £ each, conditioned that the said Employer [*or* Employed] should forthwith fulfil the said Contract; but the said Employed [*or* Employer] has not performed the said Condition, or in any way fulfilled the said Contract.

(*b.*) *Adjudication upon the last Complaint for Insertion in the usual General Form of Orders in Use in England and Ireland.—After reciting in the past Tense the Statement of Complaint* (*a.*): Do adjudge and order, in pursuance of Section of the said Act, that the said Recognizances be estreated, and that the said Employed [*or* Employer] shall forthwith pay the Sum of £ , and the said *E.F.* and *F.G.* the Sum of £ each, and further each of them the Sum of £ for the Costs of the said Employer [*or* Employed] in this Behalf, such Sums to be respectively applied according to Law.

(E.)

Forms of Adjudication in aggravated Cases for Insertion in the ordinary General Forms of Conviction in England and Orders in Ireland.

After reciting the Conviction on One of the Complaints in Form (*A.*) *applicable, say,* And it appearing to us [*or* me] that the said Injury so inflicted on the Person [*or* Property] of the said Employed [*or* Employer, *or* the said Misconduct, *or* Misdemeanor, *or* Ill-treatment complained of] was of an aggravated Character, and did not arise [*or* was not committed] in the bonâ fide Exercise of any legal Right existing, or bonâ fide and reasonably supposed to exist, and further that any pecuniary Compensation or other Remedy provided by The Master and Servant Act, 1867, will not meet

meet the Circumstances of the Case, do hereby, in pursuance of Section of that Act, adjudge the said Employed [*or* Employer] for his said Offence to be imprisoned in the House of Correction at in the said County [and there to be kept to Hard Labour] for the Space of .

PART 2.—SCOTLAND.

Forms of Procedure before the Sheriff in Scotland.

1.

Complaint.

Under The Master and Servant Act, 1867.

Unto the Sheriff.

A.B. [*describe Place of Abode and Trade*]

against

C.D. [*describe Place of Abode and Trade*].

The Complainer humbly showeth—

That the said *C.D.* [*here state the Matter of the Complaint, and the Amount claimed for Damages, as in Forms of Statements in Part* 1. (B.)].

May it therefore please your Lordship to grant Warrant to cite the said *C.D.*, Respondent, to appear before you to answer to this Complaint, and thereafter to proceed in the Matter in Terms of the said Act.

According to Justice,

A.B. [*Signature of Complainer.*]

2.

Warrant for Citation of Respondent.

The Sheriff grants Warrant to Officers of Court to serve a Copy of the foregoing Complaint and of this Deliverance upon *C.D.*, Respondent, and to cite him to appear personally to answer thereto at [*Court House or Place*] upon the Day of at Noon, with Certification, and also to cite Witnesses and Havers for both Parties for all Diets in the Cause.

[*Signature of Sheriff.*]

3.

Form of Citation.

To *C.D.* [*Designation.*]

Take notice that you are cited to appear personally at the Time and Place specified in the Warrant of Citation to answer the Complaint attached, in respect of which said Warrant is issued with Certification.

This I do on the Day of

[*Signature of Officer.*]

4.

Form of Execution of Complaint.

This Complaint served by me, Sheriff Officer, upon *C.D.*, Respondent [*state whether personally or otherwise*], in Presence of [*state Name and Designation of Witness*], this Day of Eighteen hundred and Years.

E.F., *Sheriff Officer.*

L.M., *Witness.*

LONDON:

Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

CAP. CXLII.

An Act to amend the Acts relating to the Jurisdiction of the County Courts.

[20th *August* 1867.]

WHEREAS it is desirable to amend the Acts relating to the Jurisdiction of the County Courts:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Where Summons may issue.

1. A Plaint may be entered in the County Court within the District of which the Defendant or One of the Defendants shall dwell or carry on his Business at the Time of bringing the Action or Suit, or it may be entered, by Leave of the Judge or Registrar, in the County Court within the District of which the Defendant or One of the Defendants dwelt or carried on Business, at any Time within Six Calendar Months next before the Time of Action or Suit brought, or, with the like Leave, in the County Court in the District of which the Cause of Action or Suit wholly or in part arose.

In certain Actions in County Courts Plaintiff may issue Summons, and if De-

2. In any Action brought in a County Court for the Price or Value of Goods or Chattels which or some Part of which were sold and delivered to the Defendant to be dealt with in the way of his Trade, Profession, or Calling, the Plaintiff may, at his Option, cause

fendant shall not give Notice of Intention to defend, Judgment may be entered up.

cause to be issued a Summons in the ordinary Form, or (upon filing an Affidavit to the Effect set forth in the Form given in Schedule (A.) to this Act) in the Form contained in the Schedule (B.) to this Act, and if such last-mentioned Summons be issued it shall be personally served on the Defendant by the Bailiff of the Court, or, at the Option of the Plaintiff, by the Plaintiff, his Attorney, or by some Clerk or Servant in the permanent Employ of the Plaintiff or his Attorney, Twelve clear Days at the least before the Return Day thereof, and then if the Defendant shall not, at least Six clear Days before such Return Day, give Notice in Writing, signed by himself, his Attorney or Agent, to the Registrar of the Court from which the Summons issued, of his Intention to defend, the Plaintiff may, within Two Months after such Return Day, without giving any Proof of his Claim, have, upon Proof by Affidavit of the Service of the Summons, Judgment entered up against the Defendant for the Amount of his Claim and Costs, such Costs to be taxed by the Registrar; and the Order upon such Judgment shall be for Payment forthwith, or at such Time or Times, and by such Instalments, if any, as the Plaintiff or his Attorney or Agent shall in Writing have consented to take at the Time of the Entry of the Plaint: Provided that where the Defendant shall give such Notice as above specified, the Action shall be heard in the ordinary Course; but in any Event the Registrar shall, immediately after the last Day for giving such Notice, send a Letter to the Plaintiff by Post, stating therein whether the Defendant has or has not given Notice of his Intention to defend.

Proceedings commenced in a Metropolitan County Court to be continued therein if Defendant resides in the Districts of One of such Courts.

3. Where an Action is brought in any of the County Courts mentioned in the Section numbered Eighteen of the Act passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter One hundred and eight, all subsequent Proceedings in such Action shall be taken and had in such Court if the Party against whom the Proceeding is taken or had shall reside or carry on Business within the District of any of such Courts or within the City of *London*. An Action may be commenced, and all subsequent Proceedings taken and had, in the Court held under the Provisions of "The *London* (City) Small Debts Extension Act, 1852," by a Plaintiff residing or carrying on Business within the City of *London*, against a Defendant who resides or carries on Business within the District of any of such Courts; and an Action may be commenced, and all subsequent Proceedings taken and had, in any of such County Courts by a Plaintiff residing or carrying on Business within the District of any such County Court, against a Defendant who resides or carries on Business within the City of *London*.

4. No

No Action for Beer, &c. consumed on the Premises to be brought.

4. No Action shall henceforth be brought or be maintainable in any Court to recover any Debt or Sum of Money alleged to be due in respect of the Sale of any Ale, Porter, Beer, Cider, or Perry which after the Commencement of this Act was consumed on the Premises where sold or supplied, or in respect of any Money or Goods lent or supplied, or of any Security given, for, in, or towards the obtaining of any such Ale, Porter, Beer, Cider, or Perry.

Costs not recoverable in Superior Courts where less than 20*l.* on Contract or 10*l.* on Tort.

5. If in any Action commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record the Plaintiff shall recover a Sum not exceeding Twenty Pounds if the Action is founded on Contract, or Ten Pounds if founded on Tort, whether by Verdict, Judgment by Default, or on Demurrer, or otherwise, he shall not be entitled to any Costs of Suit unless the Judge certify on the Record that there was sufficient Reason for bringing such Action in such Superior Court, or unless the Court or a Judge at Chambers shall by Rule or Order allow such Costs.

Repeal of s. 17. of 3 & 4 W. 4. c. 42. authorizing the Trial of Issues before a Sheriff where Sum claimed does not exceed 20*l.*

6. The Section numbered Seventeen of the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Forty-two, which enables a Superior Court, or a Judge thereof, to direct Issues to be tried before a Sheriff or a Judge of an inferior Court of Record where the Sum sought to be recovered does not exceed Twenty Pounds, and the Court or Judge is satisfied that the Trial will not involve any difficult Question of Fact or Law, shall be and the same is hereby repealed.

In certain Cases Judge of Superior Courts may order Cause to be tried in County Court.

7. Where in any Action of Contract brought or commenced in any of Her Majesty's Superior Courts of Common Law the Claim endorsed on the Writ does not exceed Fifty Pounds, or where such Claim, though it originally exceeded Fifty Pounds, is reduced by Payment, an admitted Set-off, or otherwise, to a Sum not exceeding Fifty Pounds, it shall be lawful for the Defendant in the Action, within Eight Days from the Day upon which the Writ shall have been served upon him, if the whole or Part of the Demand of the Plaintiff be contested, to apply to a Judge at Chambers for a Summons to the Plaintiff to show Cause why such Action should not be tried in the County Court or One of the County Courts in which the Action might have been commenced; and on the Hearing of such Summons the Judge shall, unless there be good Cause to the contrary, order such Action to be tried accordingly, and thereupon the Plaintiff shall lodge the original Writ and the Order with the Registrar of the County Court mentioned in the Order, who shall appoint a Day for the Hearing of the Cause, Notice whereof shall

shall be sent by Post or otherwise by the Registrar to both Parties or their Attorneys, and the Cause and all Proceedings therein shall be heard and taken in such County Court as if the Action had been originally commenced in such County Court; and the Costs of the Parties in respect of Proceedings subsequent to the Order of the Judge of the Superior Court shall be allowed according to the Scale of Costs in use in the County Courts, and the Costs of the Proceedings previously had in the Superior Court shall be allowed according to the Scale in use in such latter Court.

Proceedings in Equity may be transferred to County Courts which might have commenced therein.

8. Where any Suit or Proceeding shall be pending in the High Court of Chancery, which Suit or Proceeding might have been commenced in a County Court, it shall be lawful for any of the Parties thereto to apply at Chambers to the Judge to whose Court the said Suit or Proceeding shall be attached to have the same transferred to the County Court or One of the County Courts in which the same might have been commenced, and such Judge shall have Power upon such Application, or without such Application, if he shall see fit, to make an Order for such Transfer, and thereupon such Suit or Proceeding shall be carried on in the County Court to which the same shall be ordered to be transferred, and the Parties thereto shall have the same Right of Appeal that they would have had had the Suit or Proceeding been commenced in the County Court.

Suits in which Jurisdiction under 28 & 29 Vict. c. 99. may be exercised.

9. The Jurisdiction which is given by the Act passed in the Session holden in the Twenty-eighth and Twenty-ninth Years of the Reign of Her Majesty, intituled *An Act to confer on the County Courts a limited Jurisdiction in Equity*, so far as relates to Cases coming within the Fourth Head of the First Section of the said Act, may, from and after the passing of this Act, be exercised in all Suits for specific Performance of or for the reforming, delivering up, or cancelling of any Agreement for the Sale, Purchase, or Lease of any Property where, in the Case of a Sale or Purchase, the Purchase Money, or in case of a Lease the Value of the Property, shall not exceed Five hundred Pounds.

Actions for Malicious Prosecution, &c. brought in Superior Courts may be remitted to County Court by Judge.

10. It shall be lawful for any Person against whom an Action for malicious Prosecution, illegal Arrest, illegal Distress, Assault, false Imprisonment, Libel, Slander, Seduction, or other Action of Tort may be brought in a Superior Court to make an Affidavit that the Plaintiff has no visible Means of paying the Costs of the Defendant should a Verdict be not found for the Plaintiff, and thereupon a Judge of the Court in which the Action is brought shall have Power to make an Order that unless the Plaintiff shall, within a Time to be therein mentioned,

mentioned, give full Security for the Defendant's Costs to the Satisfaction of One of the Masters of the said Court, or satisfy the Judge that he has a Cause of Action fit to be prosecuted in the Superior Court, all Proceedings in the Action shall be stayed, or in the event of the Plaintiff being unable or unwilling to give such Security, or failing to satisfy the Judge as aforesaid, that the Cause be remitted for Trial before a County Court to be therein named; and thereupon the Plaintiff shall lodge the original Writ and the Order with the Registrar of such County Court, who shall appoint a Day for the Hearing of the Cause, Notice whereof shall be sent by Post or otherwise by the Registrar to both Parties or their Attorneys; and the County Court so named shall have all the same Powers and Jurisdiction with respect to the Cause as if both Parties had agreed, by a Memorandum signed by them, that the said County Court should have Power to try the said Action, and the same had been commenced by Plaint in the said County Court; and the Costs of the Parties in respect of the Proceedings subsequent to the Order of the Judge of the Superior Court shall be allowed according to the Scale of Costs in use in the County Courts, and the Costs of the Proceedings in the Superior Court shall be allowed according to the Scale in use in such latter Court.

Action of Ejectment may be brought where annual Value of Property does not exceed 20*l.*

11. All Actions of Ejectment where neither the Value of the Lands, Tenements, or Hereditaments, nor the Rent payable in respect thereof, shall exceed the Sum of Twenty Pounds by the Year, may be brought and prosecuted in the County Court of the District in which the Lands, Tenements, or Hereditaments are situate.

Court may try Cases where Title comes in question where neither Value nor Rent of Property exceeds 20*l.*

12. The County Courts shall have Jurisdiction to try any Action in which the Title to any corporeal or incorporeal Hereditaments shall come in question where neither the Value of the Lands, Tenements, or Hereditaments in dispute, nor the Rent payable in respect thereof, shall exceed the Sum of Twenty Pounds by the Year, or in case of an Easement or Licence where neither the Value nor reserved Rent of the Lands, Tenements, or Hereditaments in respect of which the Easement or Licence is claimed, or on, through, over, or under which such Easement or Licence is claimed, shall exceed the Sum of Twenty Pounds by the Year: Provided that the Defendant in any such Action of Ejectment, or his Landlord, may, within One Month from the Day of Service of the Writ, apply to a Judge at Chambers for a Summons to the Plaintiff to show Cause why such Action should not be tried in One of the Superior Courts on the Ground that the Title to Lands or Hereditaments of greater annual Value than Twenty Pounds would be affected by the Decision in

such Action; and on the Hearing of such Summons the Judge, if satisfied that the Title to other Lands would be so affected, may order such Action to be tried in One of the Superior Courts, and thereupon all Proceedings in the County Court in such Action shall be discontinued.

Appeal in Actions of Ejectment and in Actions where Title comes in question, and by Leave of the Judge, allowed in all Actions in which it is not now allowed.

13. An Appeal from the Decision of a County Court on the same Grounds and subject to the same Conditions as are provided by Section Fourteen of the Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-one, shall be allowed in all Actions of Ejectment, and in all Actions in which the Title to any corporeal or incorporeal Hereditament shall have come in question, and, with the Leave of the Judge, an Appeal shall be allowed in Actions in which an Appeal is not now allowed, if the Judge shall think it reasonable and proper that such Appeal should be allowed.

Court may award Costs where Cause is struck out for Want of Jurisdiction.

14. Whenever an Action or Suit is brought in a County Court which the Court has no Jurisdiction to try, the Judge shall order the Cause to be struck out, and shall, unless the Parties consent to the Court having Jurisdiction to try the same, have Power to award Costs in the same Manner, to the same Extent, and recoverable in the same Manner, as if the Court had Jurisdiction in the Matter of such Plaint, and the Plaintiff had not appeared, or had appeared and failed to prove his Demand.

Scale of Costs to be framed by the Judges.

15. The Judges of County Courts appointed or to be appointed by the Lord Chancellor from Time to Time to frame Rules and Orders for regulating the Practice of the Courts and Forms of Proceeding therein under the Thirty-second Section of "The County Courts Act, 1856," shall be empowered to frame a Scale of Costs and Charges to be paid to Counsel and Attorneys with respect to all Proceedings which are herein authorized to be taken, or with respect to Proceedings in Plaints for the Recovery of Tenements, or in Actions of Replevin, and from Time to Time to amend such Scale; and such Scale or amended Scale, certified under the Hands of such Judges, or any Three or more of them, shall be submitted to the Lord Chancellor, who from Time to Time may allow or disallow or alter the same, and the Scale or amended Scale so allowed or altered shall, from a Day to be named by the Lord Chancellor, be in force in every County Court.

Proceedings where Defendant does not appear.

16. If in any Action founded on Contract a Defendant shall not appear at the Hearing, either in Person or by some Person duly authorized on his Behalf, and no sufficient Excuse for the Defendant's Absence

Absence shall be shown, the Registrar may, by Leave of the Judge, upon due Proof of the Service of the Summons and of the Debt being due and owing, enter up Judgment for the Plaintiff, and have the same Power to make an Order for Payment by Instalments, or to enter up Judgment of Nonsuit, or to strike out or adjourn the Cause, as the Judge of the County Court has; and such Judgment shall be as valid as if both Parties had attended the Court; but the Judgment, and any Execution thereon, may be set aside, and a new Trial granted, upon such Terms, if any, as the Judge may think fit to require.

Where Defendant appears and admits the Claim.

17. Where a Defendant appearing at the Hearing either in Person or by some Person duly authorized to appear for him admits the Claim, the Registrar may, by Leave of the Judge, settle the Terms and Conditions upon which it is to be paid, and enter up Judgment accordingly as a Judgment of the Court.

Approval of Commissioners of the Treasury substituted for Approval of a Secretary of State in Sections 48 and 50 of 9 & 10 Vict. c. 95.

18. Wherever in Sections Forty-eight and Fifty of an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, the Words "One of Her Majesty's Principal Secretaries of State" occur, the Words "the Commissioners of Her Majesty's Treasury" shall be read in lieu thereof; and all the Powers therein given to One of Her Majesty's Principal Secretaries of State shall hereafter be in the Commissioners of Her Majesty's Treasury, and shall be exercised by them; and all Papers and Documents relating to the County Courts in the Custody of any such Secretary of State shall be transferred into the Custody of the said Commissioners.

Lord Chancellor to exercise Power given to a Secretary of State by s. 56 of 9 & 10 Vict. c. 95.

19. Wherever in Section Fifty-six of an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, the Words "One of Her Majesty's Principal Secretaries of State" occur, the Words "the Lord Chancellor" shall be read in lieu thereof, and the Power to be therein exercised by One of Her Majesty's Principal Secretaries of State shall hereafter be in the Lord Chancellor, and shall be exercised by him.

Judges to be auxiliary to one another, and Deputy of Judge or Registrar to have all the Powers of his Principal.

20. Any Judge of County Courts shall be capable of acting for any other Judge of County Courts in or without the Districts presided over by such Judge, and the Deputy of a Judge of County Courts or Registrar, duly appointed, shall have all the Powers and Privileges and perform all the Duties of the Judge or Registrar for whom he shall have been so appointed which have been given or shall be given to such Judge or Registrar by any Act passed or to be

be passed, anything to the contrary notwithstanding; and where, in the Absence of a Judge, a Deputy of such Judge shall, from Illness or otherwise, be incapable of performing his Duties as such Deputy, it shall be lawful for the Lord Chancellor to appoint another Person, duly qualified, to be the Deputy of such Judge.

Registrars who may act as High Bailiffs under 29 & 30 Vict. c. 14. to have the Powers of the Officer whom they succeed.

21. Every Registrar who may be invested with the Powers and Authorities of a High Bailiff under the Provisions of "The County Courts Act, 1866," shall also be invested with the Powers and Authorities possessed by the High Bailiff to the Performance of whose Duties he may succeed.

Bailiffs to serve any Process directed to be served by High Bailiff.

22. Every Bailiff duly appointed by a High Bailiff or a Registrar may serve or execute any Process which by any Act passed or to be passed is directed to be served or executed by a High Bailiff, unless otherwise specially provided against therein.

On Death of a joint Registrar Survivor to be sole Registrar.

23. Upon the Death, Resignation, or Removal of any Person being joint Registrar with another of a County Court, no other Person shall be appointed to such Office of Registrar, jointly or otherwise, until both the Persons holding the joint Office shall have died, been removed, or resigned, unless the Lord Chancellor shall otherwise order.

Trustees may pay Trust Monies or transfer Stock and Securities into the Court.

24. Any Monies, Annuities, Stocks, or Securities vested in any Persons as Trustees, Executors, Administrators, or otherwise, upon Trusts within the Meaning of an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter Ninety-six, "for better securing "Trust Funds, and for the Relief of Trustees," where the same does not exceed in Amount or Value the Sum of Five hundred Pounds, upon the filing by such Trustees or other Persons, or the major Part of them, to or with the Registrar of the County Court within the District of which such Persons or any of them shall reside, an Affidavit shortly describing the Instrument creating the Trust according to the best of their Knowledge, may in the Case of Money be paid into a Post Office Savings Bank established in the Town in which the County Court is held in the Name of the Registrar of such Court, in trust to attend the Orders of the Court, and upon such Persons filing with the Registrar the Receipt or other Document given to them by the Officer of the said Bank the Registrar shall record the same, and give to them an Acknowledgment in such Form as may be directed by any Rule of Practice, which Acknowledgment shall be a sufficient Discharge to such Persons for the Money so paid, and in the Case of Stocks

or Securities may be transferred or deposited into or in the Names of the Treasurer and Registrars of such Court, in trust to attend the Orders of the Court, and the Certificate of the proper Officer of the Transfer or Deposit of such Stocks or Securities shall be a sufficient Discharge to such Persons for the Stocks or Securities so transferred or deposited; provided that where there is not a Treasurer a Person shall be nominated by Rule of Practice to whom the Transfer or Deposit in conjunction with the Registrar may be made.

Extension of Powers given by 12 & 13 Vict. c. 74. to Court of Chancery to County Courts.

25. For the Purposes of the last Section all the Powers and Authorities given to the Court of Chancery by the Act passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter Seventy-four, "for the further Relief of Trustees," shall be possessed and exercised by the County Courts, and any Order made by virtue of such Powers and Authorities shall fully protect and indemnify all Persons acting under or in pursuance of such Order.

Monies paid into a County Court in Equitable Proceedings may be invested in a Post Office Savings Bank.

26. Any Money paid into a County Court in Equitable Proceedings shall, unless otherwise ordered by the Court, be invested by the Registrar of the Court in his Name as Registrar, within Forty-eight Hours of its Payment into Court, in a Post Office Savings Bank established in the Town in which the Court is held, without Restriction as to Amount, and without the Declaration required of a Depositor in a Savings Bank; and no Part of any Money invested in a Post Office Savings Bank under this Act shall be paid out to any Registrar, except upon an Authority addressed to the Postmaster General by the Commissioners of Her Majesty's Treasury.

Proceedings in Equity may be commenced by Summons.

27. Any Proceeding taken in the County Courts under "The County Courts Act, 1865," conferring an equitable Jurisdiction on such Courts, may, if so directed by Rules and Orders to be made under such Act, be commenced by Summons.

No Action or Suit to be commenced in any Hundred or other inferior Court.

Power to certain Persons to make Claim to Compensation.

28. From and after the passing of this Act no Action or Suit which can now be brought in any County Court shall henceforth be commenced or be maintainable in any Hundred or other inferior Court not being a Court of Record; and every Person who is legally entitled to any Franchise or Office in or in respect of any of the said Courts, the Value of which shall be diminished or taken away by the Operation of this Act, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Twelve Months after the passing of this Act; and

the said Commissioners, in such Manner as they shall think fit, may inquire what was the Nature of the Franchise or Office, and what was the Tenure thereof, and what were the lawful Fees and Emoluments in respect of which such Compensation should be allowed; and the said Commissioners in each Case shall award such Compensation as they shall think just, upon consideration of the special Circumstances of each Case: Provided that if any Person so compensated accepts any public Employment, he shall, during the Continuance of such Employment, receive only so much (if any) of Compensation as, with the Remuneration for that Employment, will equal such Compensation; and the several Compensations herein-before granted shall be paid out of Monies to be voted by Parliament, and the Commissioners of Her Majesty's Treasury of the said United Kingdom are hereby authorized to pay the same accordingly.

Where Action unnecessarily brought in an inferior Court, only County Court Costs to be allowed.

29. Where any Action or Suit shall be brought in any other Court than the Superior Courts of Law which could have been brought in a County Court, and the Verdict recovered is for a less Sum than Ten Pounds, the Plaintiff shall not recover from the Defendant a greater Amount of Costs than he would have been allowed if the Action or Suit had been brought in such County Court, unless the Judge shall certify that the Action or Suit was a fit one to be brought in such other Court.

Remuneration of Registrars and High Bailiffs in Matters under this Act.

30. The Registrars and High Bailiffs of the County Courts shall be remunerated for the Duties to be performed by them under the Jurisdiction given to the Courts by this Act, by receiving for their own Use such Fees as may be from Time to Time authorized to be taken by any Orders to be made by the Commissioners of the Treasury, with the Consent of the Lord Chancellor; and the Commissioners of the Treasury are hereby authorized and empowered, with such Consent as aforesaid, from Time to Time to make such Orders: Provided that it shall be lawful for the said Commissioners, with the like Consent as aforesaid, to order that the Registrars and High Bailiffs shall, in lieu of receiving such Fees, be paid such fixed or fluctuating Allowances as may in each Case be thought just; and from and after a Day to be named in the Order the said Fees shall be accounted for and paid over by such Officers in such Manner as may be therein directed.

High Bailiff may interplead where Claims as to Goods taken in Execution are made.

31. If any Claim shall be made to or in respect of any Goods or Chattels taken in Execution under the Process of a County Court, or in respect of the Proceeds or Value thereof, by any Person, it shall be lawful for the Registrar of the Court, upon Application of the High Bailiff, as well before as after any Action brought against him,

him, to issue a Summons calling before the said Court as well the Party issuing such Process as the Party making such Claim, and the Judge of the Court shall adjudicate upon such Claim, and make such Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit, and shall also adjudicate between such Parties, or either of them, and the High Bailiff, with respect to any Damage or Claim of or to Damages arising or capable of arising out of the Execution of such Process by the High Bailiff, and make such Order in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit; and such Orders shall be enforced in like Manner as any Order in any Suit brought in such Court, and shall be final and conclusive as between the Parties, and as between them, or either of them, and the High Bailiff, unless the Decision of the Court shall be in either Case appealed from, and upon the Issue of the Summons any Action which shall have been brought in any Court in respect of such Claim, or of any Damage arising out of the Execution of such Process, shall be stayed.

City of London Court.

32. The Section numbered Twenty-six in "The County Courts Act, 1856," shall extend and apply to the City of *London* Court.

Enactments in Schedule (C.) repealed.

33. The several Enactments specified in Schedule (C.) to this Act are hereby repealed.

This Act and other County Courts Acts to be construed together.

34. This Act, and the several Acts specified in Schedule (D.) to this Act, shall, except such Provisions of the same Acts respectively as are hereby repealed, be construed together as One Act, and may be respectively cited for all Purposes by the Short Titles respectively given to them in such Schedule, and this Act may be cited for all Purposes as "The County Courts Act, 1867."

Meaning of the Words "County Court" in this and future Acts, and shall include the City of London Court.

35. The Words "County Court," when used in this Act or in any future Act, shall mean a Court holden by virtue of the Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, "for the more easy Recovery of Small Debts and Demands in "*England*," and shall mean and include the Courts held by virtue of "The *London* (City) Small Debts Extension Act, 1852," unless otherwise provided, and such Courts shall be holden by the Name of "The City of *London* Court," and shall be a Court of Record, and its Decisions shall be subject to Appeal in the same Way and on the same Conditions as the Decisions of a County Court are subject for the Time being. The Rules and Orders in force for the Time being for regulating the Practice of and Costs in the County Courts, and Forms of Proceedings therein, shall be in force in "The City of *London* Court," to the Exclusion of any Rules and Orders now in

in force in that Court; and the same Fees shall be taken for Proceedings in which Jurisdiction is hereby given to the Court as upon similar Proceedings in the County Courts, and such Fees shall be applied in the same Manner as the Fees taken under the Provisions of the said Act of 1852: Provided that nothing in this Act, or in any of the Acts specified in Schedule (D.) to this Act, shall take away, lessen, or diminish any of the Powers, Rights, or Privileges of the Judge of the said Court, or the Authority of the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled in relation to such Court, or to the Judge or Officers thereof, or to the Fees taken therein, as such Powers or Authority existed previously to the passing of this Act.

Commencement of Act.

36. This Act shall come into operation on the First Day of *January* next after the passing hereof.

SCHE-

SCHEDULES.

SCHEDULE (A.)

I, *A.B.*, of, *&c.* [*or* Agent for *C.D.*] make oath and say, that *E.F.* is indebted to me [*or* to the said *C.D.*] in the Sum of for

And I further say, that the were sold and delivered to the said *E.F.* to be dealt with in the way of his Trade of a

A.B.

Sworn at, *&c.*

SCHEDULE (B.)

Summons to obtain Judgment by Default on Personal Service.

No. [*of Plaint*].

In the [*Title of Court issuing Summons*].

[*Seal.*]

Between *A.B.*, Plaintiff,
and
C.D., Defendant.

[*Name, Description, and Address of Defendant.*]

TAKE NOTICE, That, unless at least Six clear Days before the [*Day of Appearance to Summons*] you return to the Registrar of this Court at [*Place of Office*] the Notice given below, dated and signed by yourself, or your Attorney or your Agent, you will not afterwards be allowed to make any Defence to the Claim which [*Name, Description, and Address of Plaintiff*] makes on you, as per Margin, the Particulars of which are hereunto annexed; but the Plaintiff may, without giving any Proof in support of such Claim, proceed to Judgment and Execution. If you return such Notice to the Registrar within the Time specified, you must appear at a County Court to be holden at on the Day of 186 , at the Hour of

	£	s.	d.
Claim - -	...	...	...
Fee for Plaint -	...	...	...
Attorney's Costs (where payable) -	...	...	...
Total Amount of Debts and Costs	...	...	...

of in the noon, to answer the above Claim, which will be heard on that Day.

Dated this Day of 186 .

Registrar of the Court.

See below.

Notice of Intention to defend or to object to the Jurisdiction of the Court.

No. [*of Plaint*].

In the [*Title of Court*].

A.B. v. *C.D.*

I intend to defend this Cause [*or* to object to the Jurisdiction of the Court] on the Ground or Grounds [*here state the Ground or Grounds*].

Dated this Day of 186 .

(a) Defendant.

[*To be endorsed on the Summons.*]

If you pay the Debt and Costs, as per Margin on the other Side, into the Registrar's Office, before the Day of Hearing, and without returning the Notice of Intention to defend, you will avoid further Costs.

If you do not return the Notice of Intention to defend, but allow Judgment against you by Default, you will *save Half the Hearing Fee,* and the Order upon such Judgment will be to pay the Debt and Costs forthwith [*or* by Instalments, *to be specified as in Plaintiff's written Consent*].

If you admit a Part only of the Claim, you must return the Notice of Intention to defend within the specified Time; and you may, by paying into the Registrar's Office the Amount so admitted, together with Costs proportionate to the Amount you pay in, Six clear Days before the Day of Hearing, avoid further Costs, unless the Plaintiff at the Hearing shall prove a Claim against you exceeding the Sum so paid.

If you intend to rely on a Set-off, Infancy, Coverture, a Statute of Limitations, or a Discharge under a Bankrupt or Insolvent Act, as a Defence, you must, in addition to the Notice of Intention to defend, give to the Registrar Notice of such special Defence Six clear Days before the Day of Hearing; and such last-mentioned Notice must contain the Particulars required by the Rules of the Court; and you must deliver to the Registrar as many Copies of such Notice as there are Plaintiffs, and an additional Copy for the Use of the Court. If your Defence be a Set-off, you must, with the Notice thereof, also deliver to the Registrar a Statement of the Particulars thereof. If your Defence be a Tender, you must pay into Court, before or at the Hearing, the Amount tendered.

If you give such Notice of Intention to defend within the Time specified, you may have the Case tried by a Jury, on giving Notice in Writing at the Registrar's Office, Three clear Days before the Hearing, and on Payment of Five Shillings for the Use of such Jury.

(a) Here must be signed the Name of Defendant, or of his Attorney or Agent, and in either of the last Two Cases the Words "Attorney for," or "Agent for," must be added.

Summonses for Witnesses and the Production of Documents may be obtained at the Office of the Registrar of this Court.

Hours of Attendance at the Office of the Registrar of this Court at [*Place of Office*] from Ten till Four.

This Summons must be served *personally* on the Defendant Twelve clear Days before the Day appointed for the Hearing.

SCHEDULE (C.)

Reference to Act.	Title of Act.	Extent of Repeal.
9 & 10 Vict. c. 95. -	An Act for the more easy Recovery of Small Debts and Demands in England.	The whole of the Sections numbered respectively Sixty, One hundred and eighteen, One hundred and twenty-eight, and One hundred and twenty-nine.
13 & 14 Vict. c. 61. -	An Act to extend the Act for the more easy Recovery of Small Debts and Demands in England, and to amend the same.	The whole of the Sections numbered respectively Eleven and Twelve.
15 & 16 Vict. c. 54. -	An Act further to facilitate and arrange Proceedings in the County Courts.	The whole of Section Four.
15 & 16 Vict. c. lxxvii.	An Act for the more easy Recovery of Small Debts and Demands in the City of London and Liberties thereof.	The whole of the Sections numbered respectively One hundred and eighteen, One hundred and nineteen, One hundred and twenty, One hundred and twenty-one, and One hundred and twenty-two.
19 & 20 Vict. c. 108. -	An Act to amend the Acts relating to County Courts.	The whole of the Sections numbered respectively Fifteen and Thirty.
23 & 24 Vict. c. 126. -	An Act for the further Amendment of the Process, Practice, and Mode of Pleading in and enlarging the Jurisdiction of the Superior Courts of Common Law at Westminster.	The whole of Section Thirty-four.
28 & 29 Vict. c. 99. -	An Act to confer on the County Courts a limited Jurisdiction in Equity.	The Fourth Head of Suits and Matters mentioned in the First Section.

SCHEDULE (D.)

Acts.	Short Title.
9 & 10 Vict. c. 95. An Act for the more easy Recovery of Small Debts and Demands in England.	"The County Courts Act, 1846."
12 & 13 Vict. c. 101. An Act to amend the Act for the more easy Recovery of Small Debts and Demands in England, and to abolish certain inferior Courts of Record.	"The County Courts Act, 1849."
13 & 14 Vict. c. 61. An Act to extend the Act for the more easy Recovery of Small Debts and Demands in England.	"The County Courts Act, 1850."
15 & 16 Vict. c. 54. An Act further to facilitate and arrange Proceedings in the County Courts.	"The County Courts Act, 1852."
19 & 20 Vict. c. 108. An Act to amend the Acts relating to the County Courts.	"The County Courts Act, 1856."
21 & 22 Vict. c. 74. An Act for the Re-arrangement of the Districts of the County Courts among the Judges thereof.	"The County Courts Act, 1858."
22 & 23 Vict. c. 57. An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges.	"The County Courts Act, 1859."
28 & 29 Vict. c. 99. An Act to confer on the County Courts a limited Jurisdiction in Equity.	"The County Courts Act, 1865."
29 & 30 Vict. c. 14. An Act for the Abolition of the Offices of Treasurer and of High Bailiffs of County Courts as Vacancies shall occur, and to provide for the Payment of future Registrars of County Courts.	"The County Courts Act, 1866."

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

***

SCHEDULE.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
(1) 2 & 3 Vict. c. 74. Oaths, unlawful (Ireland).	11 & 12 Vict. c. 89.	Whole Act	7th July 1867, and End of then next Session. (25 & 26 Vict. c. 32.)	7th July 1868, and End of then next Session.
(2) 3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	- - -	Whole Act	1st October 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st October 1868, and End of then next Session.
(3) 4 & 5 Vict. c. 30. Survey of Great Britain.	19 & 20 Vict. c. 61.	Whole Act	31st December 1867 - (29 & 30 Vict. c. 102.)	31st December 1869, and End of then next Session.
(4) 4 & 5 Vict. c. 35. Copyhold, Inclosure, and Tithe, Commissioners.	14 & 15 Vict. c. 53.	So much as relates to the Appointment of and the Period for holding Office by Commissioners and other Officers.	1st August 1867, and End of then next Session. (25 & 26 Vict. c. 73.)	1st August 1872, and End of then next Session.
(5) 5 & 6 Vict. c. 123. Lunatic Asylums (Ireland).	- - -	Whole Act	1st August 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st August 1868, and End of then next Session.
(6) 10 Vict. c. 32. Landed Property Improvement (Ireland).	13 & 14 Vict. c. 31.	As to Powers of Commissioners.	1st January 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st January 1868, and End of then next Session.
(7) 10 & 11 Vict. c. 90. Poor Laws (Ireland).	14 & 15 Vict. c. 68.	As to Appointment of Commissioners.	23d July 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	23d July 1868, and End of then next Session.
(8) 10 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	- - -	As to Provisions continued by 21 & 22 Vict. c. 50.	1st of August 1867, and End of then next Session. (28 & 29 Vict. c. 119.)	1st August 1868, and End of then next Session.
(9) 11 & 12 Vict. c. 32. County Cess (Ireland).	20 & 21 Vict. c. 7.	Whole Act	1st August 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st August 1868, and End of then next Session.

Expiring Laws Continuance.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
(10) 14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124.	Whole Act -	1st January 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st January 1868, and End of then next Session.
(11) 17 & 18 Vict. c. 117. Incumbered Estates (West Indies).	21 & 22 Vict. c. 96. 25 & 26 Vict. c. 45. 27 & 28 Vict. c. 108.	As to Appointment of Commissioners.	2nd August 1867, and End of the then next Session.	2nd August 1869.
(12) 19 & 20 Vict. c. 36. Preservation of the Peace (Ireland).	23 & 24 Vict. c. 138. 28 & 29 Vict. c. 118.	Whole Act -	1st July 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st July 1868, and End of then next Session.
(13) 24 & 25 Vict. c. 109. Salmon Fishery (England) Act.	- - -	As to Appointment of Inspectors, s. 31.	1st October 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	1st October 1868, and End of then next Session.
	28 & 29 Vict. c. 121.	As to Appointment of the Special Commissioners for English Fisheries.		
(14) 26 & 27 Vict. c. 105. Promissory Notes.	- - -	Whole Act -	28th July 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	28th July 1868, and End of then next Session.
(15) 26 & 27 Vict. c. 114. Salmon Fisheries (Ireland).	- - -	As to Duration of Office of the Special Commissioners for Irish Fisheries, and all Powers, Rights, and Privileges appertaining thereto.	28th July 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	28th July 1868, and End of then next Session.
(16) 27 & 28 Vict. c. 20. Promissory Notes and Bills of Exchange (Ireland).	- - -	Whole Act -	13th May 1867, and End of then next Session. (29 & 30 Vict. c. 102.)	13th May 1868, and End of then next Session.
(17) 27 & 28 Vict. c. 92. Public Schools.	- - -	Whole Act -	1st August 1867 and End of then next Session. (29 & 30 Vict. c. 102.)	1st August 1868, and End of then next Session.
(18) 28 & 29 Vict. c. 46. Militia Ballots Suspension.	- - -	Whole Act -	1st October 1867 - (29 & 30 Vict. c. 102.)	1st October 1868, and End of then next Session.

Expiring Laws Continuance.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
(19) 28 & 29 Vict. c. 74. War Department Tramways (Devon).	- - -	So much as relates to the Period during which the Powers of the Act may be exercised.	29th June 1868 -	29th June 1870, and End of then next Session.
(20) 28 & 29 Vict. c. 83. Locomotives on Roads.	- - -	Whole Act -	1st September 1867 -	1st September 1868, and End of then next Session.
(21) 29 & 30 Vict. c. 121. (Extradition Treaties Act Amendment).	- - -	Whole Act -	1st September 1867 -	1st September 1868.

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ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Policies of Assurance.

Notice of Assignment to be given.

3. No Assignment made after the passing of this Act of a Policy of Life Assurance shall confer on the Assignee therein named, his Executors, Administrators, or Assigns, any Right to sue for the Amount of such Policy, or the Monies assured or secured thereby, until a written Notice of the Date and Purport of such Assignment shall have been given to the Assurance Company liable under such Policy at their principal Place of Business for the Time being, or in case they have Two or more principal Places of Business, then at some One of such principal Places of Business, either in *England* or *Scotland* or *Ireland*, and the Date on which such Notice shall be received shall regulate the Priority of all Claims under any Assignment; and a Payment *bonâ fide* made in respect of any Policy by any Assurance Company before the Date on which such Notice shall have been received shall be as valid against the Assignee giving such Notice as if this Act had not been passed.

Principal Places of Business to be specified on Policies.

4. Every Assurance Company shall, on every Policy issued by them after the Thirtieth Day of *September* One thousand eight hundred and sixty-seven, specify their principal Place or principal Places of Business at which Notices of Assignment may be given in pursuance of this Act.

Assignment by Endorsement or separate Instrument.

5. Any such Assignment may be made either by Endorsement on the Policy or by a separate Instrument in the Words or to the Effect set forth in the Schedule hereto, such Endorsement or separate Instrument being duly stamped.

Notices of Assignment to be acknowledged.

6. Every Assurance Company to whom Notice shall have been duly given of the Assignment of any Policy under which they are liable shall, upon the Request in Writing of any Person by whom any such Notice was given or signed, or of his Executors or Administrators, and upon Payment in each Case of a Fee not exceeding Five Shillings, deliver an Acknowledgment in Writing under the Hand of the Manager, Secretary, Treasurer, or other principal Officer of the Assurance Company of their Receipt of such Notice; and every such written Acknowledgment, if signed by a Person being *de jure* or *de facto* the Manager, Secretary, Treasurer, or other Principal Officer of the Assurance Company whose Acknowledgment the same purports to be, shall be conclusive Evidence as against such Assurance Company of their having duly received the Notice to which such Acknowledgment relates.

Interpretation of Terms.

7. In the Construction and for the Purposes of this Act the Expression "Policy of Life Assurance," or "Policy," shall mean any Instrument by which the Payment of Monies, by or out of the Funds

Policies of Assurance.

Funds of an Assurance Company, on the happening of any Contingency depending on the Duration of Human Life, is assured or secured; and the Expression "Assurance Company" shall mean and include every Corporation, Association, Society, or Company now or hereafter carrying on the Business of assuring Lives or Survivorships, either alone or in conjunction with any other Object or Objects.

Not to apply to Contracts under certain Acts.

8. Provided always, That this Act shall not apply to any Policy of Assurance granted or to be granted or to any Contract for a Payment on Death entered into or to be entered into in pursuance of the Provisions of the Acts Sixteenth and Seventeenth *Victoria*, Chapter Forty-five, and Twenty-seventh and Twenty-eighth *Victoria*, Chapter Forty-three, or either of those Acts, or to any Engagement for Payment on Death by any Friendly Society.

Short Title.

9. For all Purposes this Act may be cited as "The Policies of Assurance Act, 1867."

SCHEDULE.

I *A.B.* of, *&c.*, in consideration of, *&c.*, do hereby assign unto *C.D.* of, *&c.*, his Executors, Administrators, and Assigns, the [within] Policy of Assurance granted, *&c.* [*here describe the Policy*]. In witness, *&c.*

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CAP. CXLV.

An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*.

[21st *August* 1867.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having further considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, have cheerfully granted to Your Majesty the further Sum of Eight hundred thousand Pounds, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of Eight hundred thousand Pounds be raised by such Terminable Annuities as hereinafter mentioned, and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 800,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.

1. Towards defraying the Expenses herein-after mentioned, any Sum or Sums, not exceeding in the whole the Sum of Eight hundred thousand Pounds, shall be issued and applied out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as aforesaid, shall be applied as mentioned in the Schedule to this Act towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at *Haulbowline*), and the Fortifications at *Dover* and *Portland*, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule, nor to apply to any Work any greater Sum than that which is set down in the Schedule as the total estimated Cost of the Work.

Treasury to raise 800,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

3. To provide for the Issues to be made out of the Consolidated Fund or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time after the passing of this Act, to raise any Sum or Sums not exceeding in the whole the Sum of Eight hundred thousand Pounds as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of Eight hundred thousand Pounds it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-

half-yearly by equal Payments on the Fifth Day of *April* and the Tenth Day of *October*.

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of Eight hundred thousand Pounds, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of *England* to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the first half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

Power to Guardians, &c. to subscribe for Infants.

5. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

6. All

Time at which Annuities may be transferred.

6. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors or Assigns, in respect of any Portion of the said Sum of Eight hundred thousand Pounds, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of *England;* and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of *England* (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Contributors may anticipate Payments.

7. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof, in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Annuities payable, &c. at the Bank.

8. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of *England.*

9. So

9. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the said Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon and are hereby charged upon and made payable out of the said Consolidated Fund.

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.

10. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

11. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of Eight hundred thousand Pounds shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively;

Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

tively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of Eight hundred thousand Pounds, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within Five Days afterwards at the furthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

The Money paid into the Exchequer to form Part of the Consolidated Fund.

12. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of Eight hundred thousand Pounds, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

13. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of Eight hundred thousand Pounds, which may be raised under this Act, shall be fairly entered, which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate fairly written on Paper of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

As to Subscriptions paid in part, and not completed, forfeited.

14. In case any such Contributors to any Portion of the Sum of Eight hundred thousand Pounds which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums

so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

15. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise.

Accountant General to keep Books for entering Transfers.

16. Books shall be constantly kept by the said Accountant General for the Time being wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

No Stamp Duties to be charged on Transfers.

Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

17. Provided that it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of Eight hundred thousand Pounds, to contract and provide that all or any of the Terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the Terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any Terminable Annuities transferable at the Bank of *England*, and charged on the Consolidated Fund, by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days, as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and form Part of the Joint Stock of the previously existing Annuities accordingly.

18. It

Allowance to Bank of England for the Expense of Management.

18. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of *England* of the Sum of Six hundred Pounds for the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

19. The Fortifications and Works, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications and Works shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

20. The Commissioners of Her Majesty's Treasury shall in the Month of *July* in the Year One thousand eight hundred and sixty-eight, and in every subsequent Year in which any Part of the said Sum of Eight hundred thousand Pounds shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an account of the Monies raised under this Act up to the First Day of *April* preceding, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of Eight hundred thousand Pounds charged on that Fund under this Act up to the First Day of *April*, specially showing the Works or Purposes for or in respect of which the Monies may have been applied, and showing the Amount, if any, which may remain to be raised of the said Sum of Eight hundred thousand Pounds authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of Eight hundred thousand Pounds charged on the said Consolidated Fund; and every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within Fourteen Days after the next meeting of Parliament.

Persons counterfeiting Receipts for Contri-

21. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or

any

any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than Three Years, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding Two Years.

butions, &c. guilty of Felony.

22. The said Governor and Company of the Bank of *England* and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1867.	Amount already voted.	Amount proposed 1867–8.	Further amount to complete.
			£	£	£	£	£
Portsmouth -	Spithead and Sea Defences:						
	Outer Line -	Horse Sand Fort - -	365,000	239,246	308,000	100,000	656,000
		No Man's Land - -	406,000				
		Other Spithead Work -	293,000				
		Puckpool and St. Helen's Batteries.	145,000	46,738	52,000	25,000	68,000
	Inner Line -	Gilkicker Battery -	58,000	24,100	30,000	15,000	13,000
		Southsea Castle - -	60,000	46,210	55,000	5,000	—
		Eastney Batteries -					
		Lumps Battery - -					
	Defences of Needles Passage.	Hurst Castle - - -	110,000	78,985	93,000	7,000	10,000
		Needles Battery - -	90,000	52,609	73,000	7,000	10,000
		Hatherwood - -					
		Warden Point - -					
		Cliff End - - -					
		Golden Hill - -					
	Isle of Wight: Coast Defences	Sandown Bay Defences -	145,000	127,230	140,000	5,000	—
		Military Road, South-west Coast.					
	Land Defences: Outer Line -	Fort Purbrook and Outworks.	550,000	473,078	503,000	27,000	20,000
		Fort Widley - -					
		Fort Southwick - -					
		Fort Nelson - -					
		Fort Wallington - -					
		Fort Fareham - -					
	Inner Line -	Hilsea Lines - -	318,000	263,978	308,000	5,000	5,000
		Fort Grange - -					
		Fort Rowner - -					
		Fort Brockham - -					
		Stokes Bay Lines -					
Plymouth -	Harbour Defences: Outer Line -	Staddon Point Battery -	60,000	30,765	50,000	5,000	5,000
		Breakwater Battery -	155,000	80,751	100,000	45,000	10,000
		Picklecombe Battery -	87,000	48,764	65,000	15,000	7,000
		Cawsand Bay - -	13,000	12,944	13,000	—	—
	Inner Line -	Mount Edgecumbe Battery - - -	47,000	36,892	47,000	—	—
		Drake's Island Battery -					
		Western King Battery -					
		Eastern King Battery -					
	Land Defences: Antony -	Fort Tregantle - -	260,000	238,429	260,000	—	—
		Fort Scraesdon - -					
	Maker - -	Knatterbury - -	15,000	14,685	15,000	—	—
		Whitesand Bay - -					
	N.E. Division -	North-eastern Defences -	518,000	316,890	383,000	84,000	51,000
	Staddon Fort -	Staddon Fort - -					
		Fort Stamford - -					
	Devonport -	Devonport Lines - -	10,000	9,676	10,000	—	—

Fortifications (Provision for Expenses) (No. 2.)

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1867.	Amount already voted.	Amount proposed 1867–8.	Further Amount to complete.
			£	£	£	£	£
Pembroke -	Milford Haven: Sea Defences -	Stack Rock Fort - -	225,000	182,268	212,000	10,000	3,000
		South Hook Battery -					
		Hubberstone Battery -					
		Popton Battery - -					
		Chapel Bay Battery -					
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	33,101	46,000	4,000	—
		Works to Southward of Milford Haven.	50,000	—	25,000	5,000	20,000
Portland -	Portland - -	Verne Citadel and Batteries connected therewith.	125,000	114,035	117,000	5,000	3,000
		Nothe Fort - -	295,000	160,731	179,000	41,000	75,000
		Breakwater Batteries -					
Gravesend -	Thames - -	Coalhouse Fort - -	164,000	48,985	65,000	35,000	64,000
		Cliffe Fort - - -	121,000	39,427	60,000	30,000	31,000
		Shornmead - -	118,000	32,566	55,000	25,000	38,000
		Slough Battery - -	23,000	20,587	20,000	3,000	—
Medway and Sheerness.	Sea Defences -	Isle of Grain -	227,000	182,050	170,000	40,000	17,000
		Garrison Point - -					
		Hoo Fort - - -	128,000	74,609	74,000	30,000	24,000
		Darnet Fort - -					
	Works in front of Mile Town.	Works in front of Mile Town.	40,000	18,627	25,000	5,000	10,000
Dover -	Dover - -	Castle Hill Fort - -	285,000	265,639	275,000	5,000	5,000
		Dover Castle - -					
		Western Heights -					
Cork -	Cork - -	Spike Island Defences -	10,000	4,056	8,000	1,000	1,000
		Carlisle Fort - -	79,000	23,870	49,000	6,000	24,000
		Camden Fort - -	70,000	24,587	45,000	5,000	20,000
		Total Works -	5,715,000	3,367,108	3,930,000	595,000	1,190,000
Providing and fixing Iron Shields - - - -			475,000	—	—	150,000	325,000
Incidental Expenses (Works and Experiments) - - -			165,000	141,501	140,000	20,000	5,000
Lands, including Cost of Surveys, Surveyors Charges, legal and other incidental Expenses - - - - -			1,115,000	1,072,024	1,080,000	35,000	—
		Total £	7,470,000	4,580,633	5,150,000	800,000	1,520,000

	£
Provided for by 23 & 24 Vict. c. 109. - - -	2,000,000
Provided for by 25 & 26 Vict. c. 78. - - -	1,200,000
Provided for by 26 & 27 Vict. c. 80. - - -	650,000
Provided for by 27 & 28 Vict. c. 109. - - -	650,000
Provided for by 28 & 29 Vict. c. 61. - - -	650,000
Total of this Enactment - - - - -	800,000
Total of the Six Enactments - - -	£ 5,950,000

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1867.

ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. CXLVI.

An Act for regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto. [21st *August* 1867.]

WHEREAS by The Factory Acts Extension Act, 1867, Provision is made, amongst other things, for regulating the Hours during which Children, Young Persons, and Women are permitted to labour in any manufacturing Process conducted in an Establishment where Fifty or more Persons are employed:

And whereas it is expedient to extend Protection so far as respects the Regulation of the Hours of Labour to Children, Young Persons, and Women working in smaller Establishments, and further to make Provision respecting the Employment of a Fan or other mechanical Means for the Prevention of the Inhalation of Dust by Workmen in Processes of Grinding:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Workshop Regulation Act, 1867." Short Title.

2. This

Extent of Act.

2. This Act shall apply to the whole of the United Kingdom.

Commencement of Act.

3. This Act shall come into operation on the First of *January* One thousand eight hundred and sixty-eight.

General Definitions.

4. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them, unless there is something in the Context inconsistent with such Meanings; that is to say,

"Child" shall mean a Child under the Age of Thirteen Years:

"Young Person" shall mean a Person of the Age of Thirteen Years and under the Age of Eighteen Years:

"Woman" shall mean a Female of the Age of Eighteen Years or upwards:

"Parent" shall mean Parent, Guardian, or Person having the Custody of or Control over any such Child or Young Person:

"Employed" shall mean occupied in any Handicraft, whether for Wages or not, under a Master or under a Parent as herein defined:

"Handicraft" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, ornamenting, finishing, or otherwise adapting for Sale any Article:

"Workshop" shall mean any Room or Place whatever, whether in the open Air or under Cover, in which any Handicraft is carried on by any Child, Young Person, or Woman, and to which and over which the Person by whom such Child, Young Person, or Woman is employed has the Right of Access and Control:

"The Court" shall include any Justice or Justices, Sheriff or Sheriff Substitute, Magistrate or Magistrates, to whom Jurisdiction is given by this Act.

Application of Act.

5. This Act shall not apply,

(1.) To any Factory or Part of a Factory, or other Place subject to the Jurisdiction of the Inspectors of Factories, in pursuance of any Act of Parliament already passed or which shall be passed during this present Session of Parliament:

(2.) To any Bakehouse as defined by "The Bakehouse Regulation Act, 1863."

Regulations as to Time of Labour.

6. Subject to the Exceptions mentioned in the First Schedule annexed hereto, the following Regulations shall be observed with respect to the Employment of Children, Young Persons, and Women in Workshops:

(1.) No

Hours of Labour Regulation.

(1.) No Child under the Age of Eight Years shall be employed in any Handicraft:

(2.) No Child shall be employed on any One Day in any Handicraft for a Period of more than Six and a Half Hours, and such Employment shall take place between the Hours of Six in the Morning and Eight at Night:

(3.) No Young Person or Woman shall be employed in any Handicraft during any Period of Twenty-four Hours for more than Twelve Hours, with intervening Periods for taking Meals and Rest amounting in the whole to not less than One Hour and a Half, and such Employment shall take place only between the Hours of Five in the Morning and Nine at Night:

(4.) No Child, Young Person, or Woman shall be employed in any Handicraft on *Sunday*, or after Two o'Clock on *Saturday* Afternoon, except in Cases where not more than Five Persons are employed in the same Establishment, and where such Employment consists in making Articles to be sold by Retail on the Premises, or in repairing Articles of a like Nature to those sold by Retail on the Premises:

(5.) No Child under the Age of Eleven Years shall be employed in grinding in the Metal Trades or in Fustian Cutting.

Penalty for Employment of Children, Young Persons, and Women contrary to the Provisions of this Act.

7. If any Child, Young Person, or Woman is employed in contravention of this Act the following Consequences shall ensue:

First, the Occupier of the Workshop in which such Child, Young Person, or Woman is employed shall be liable to a Penalty of not more than Three Pounds:

Second, the Parent of or the Person deriving any direct Benefit from the Labour of or having the Control over the Child, Young Person, or Woman shall be liable to a Penalty of not more than Twenty Shillings, unless it appears to the Court before whom the Complaint is heard that the Offence has been committed without the Consent, Connivance, or wilful Default of the Parent or Person so benefited, or having such Control.

Provision with respect to Use of Fan in grinding.

8. In every Workshop where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to the Local Authority or to any Inspector of Factories that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Local Authority or for the Inspector of Factories, by Notice served on the Occupier of the Workshop in the Manner in which Notices

Notices given by such Local Authority or by the Inspector of Factories are usually served, to require a Fan or such mechanical Means as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State, under the Provisions of the Factory Acts, to be provided by the Occupier of the Workshop within a reasonable Time.

If the Occupier of any Workshop fails to provide a Fan or other mechanical Means in compliance with a Notice served on him in manner aforesaid he shall be deemed to be guilty of an Offence against this Act, and to be subject in respect of such Offence to a Penalty not exceeding Ten Pounds nor less than Three Pounds.

The Court having Jurisdiction to inflict any Penalty under this Act may, in addition to or instead of inflicting such Penalty in respect of an Offence under this Section, make an Order directing that within a certain Time to be named in such Order he do provide such Fan or other mechanical Means: The Court may upon Application enlarge any Time appointed for the Adoption of the Means directed by the Order, but any Non-compliance with the Order of the Court shall, after the Expiration of the Time as originally limited or enlarged by subsequent Order, be deemed to be a continuing Offence, and to be punishable by a Penalty not exceeding One Pound for every Day that such Non-compliance continues.

Power to Officers appointed by Local Authority, &c. to enter Workshops.

9. If, on the Complaint of any Officer of Health, Inspector of Nuisances, or other Officer appointed by a Local Authority, or of any Superintendent of Police, it appears to any Justice of the Peace that there is reasonable Cause for believing that any of the Provisions of this Act or of the Sanitary Act, 1866, are contravened in any Workshop, it shall be lawful for such Justice, by Order under his Hand, to empower the Complainant to enter into such Workshop at any Time within Forty-eight Hours from the Date of such Order, and to examine such Workshop; and any Person so empowered may examine, touching any Matter within the Provisions of this Act or of the Sanitary Act, 1866, so far as relates to such Workshop, any Person whom he finds in such Workshop.

Penalty on Persons refusing Admission.

Any Person refusing Admission to any Person so empowered, or obstructing him in the Discharge of his Duty, shall for each Offence incur a Penalty not exceeding Twenty Pounds.

Power to Inspector or Sub-Inspector of Factories to enter Workshops and

10. Any Inspector or Sub-Inspector of Factories may, when any Person is at work at any Handicraft, enter any Workshop and inspect the Condition thereof, and examine, touching any Matter within the Provisions of this Act or of the Sanitary Act, 1866, so far as relates to such Workshop, the Persons therein, provided that he

he report to One of Her Majesty's Principal Secretaries of State the Fact of such Entry, and the Condition of the Workshop, in his next half-yearly Report. inspect Condition thereof.

Any Person obstructing any Inspector or Sub-Inspector in making such Entry as aforesaid, or in his Inspection of a Workshop, shall for each Offence be liable to a Penalty not exceeding Twenty Pounds. Penalty on obstructing Inspector, &c.

11. Where in any Workshop the Owner or Hirer of any Machine or Implement moved by Steam, Water, or other mechanical Power, in or about or in connexion with which Machine or Implement Children, Young Persons, or Women are employed, is some Person other than the Occupier of the Workshop, and such Children, Young Persons, or Women are in the Employment and Pay of the Owner or Hirer of such Machine or Implement, in any such Case such Owner or Hirer shall, so far as respects any Offence against this Act which may be committed in relation to such Children, Young Persons, or Women, be deemed to be the Occupier of the Workshop. Liability of Hirer of Machine instead of Occupier.

12. All Penalties under this Act may be recovered summarily, as to *England* before Two or more Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, or any Act amending the same; as to *Scotland* in manner directed by "The Summary Procedure Act, 1864;" as to *Ireland* in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, or any Act amending the same. Recovery and Application of Penalties.

The Court imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards the Payment of such Costs of the Proceedings as the Court thinks just (including Compensation for Loss of Time to the Person upon whose Information such Penalty was recovered), and, subject as aforesaid, all Penalties shall be applied in the Manner directed by the Acts referred to in this Section.

13. For the Purposes of this Act, in the several Places mentioned in the First Column of the Second Schedule hereto annexed the Description of Local Authority.

Local Authority shall be the Bodies of Persons or Persons in that Behalf specified in the Second Column of the same Schedule, and such Schedule, with the Explanation annexed thereto, shall be deemed to be Part of this Act.

Regulations for Attendance at School of Children employed in Workshops.

14. The following Regulations shall be made (subject to the Provisions herein-after mentioned) respecting the Education of Children employed in Workshops:

(1.) Every Child who is employed in a Workshop shall attend School for at least Ten Hours in every Week during the whole of which he is so employed:

(2.) In computing for the Purpose of this Section the Time during which a Child has attended School there shall not be included any Time during which such Child has attended either

(*a*) In Excess of Three Hours at any One Time, or in Excess of Five Hours on any One Day; or

(*b*) On *Sundays;* or

(*c*) Before Eight o'Clock in the Morning, or after Six o'Clock in the Evening:

Provided, that the Non-attendance of any Child at School shall be excused—

(1.) For any Time during which he is certified by the principal Teacher of the School to have been prevented from Attendance by Sickness or other unavoidable Cause:

(2.) For any Time during which the School is closed for the customary Holidays, or for some other temporary Cause:

(3.) For any Time during which there is no School which the Child can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of such Child.

Parents to cause Children to attend School.

15. The Parent of every Child employed in a Workshop shall cause that Child to attend School in manner required by this Act.

Every Parent who wilfully fails to act in conformity with this Section shall be liable to a Penalty of not more than Twenty Shillings for each Offence.

Occupiers of Workshops shall obtain Certificates of Attendance of Children at School

16. Every Occupier of a Workshop who has employed a Child for any Time amounting in the whole to not less than Fourteen Days shall on *Monday* in every Week during the Employment of such Child obtain from the principal Teacher of some School a Certificate that the Child so employed has, in manner required by this Act, attended School during the preceding Week, if Attendance at School was so required during that Week.

The

The Certificate may be in the Form contained in the Third Schedule hereto, or in such other Form as One of Her Majesty's Principal Secretaries of State may from Time to Time prescribe.

The Employer shall keep the said Certificate for One Month, and shall produce the same to any Inspector or Sub-Inspector of Factories whenever required by him during that Period.

Every Person who acts in contravention of this Section shall be liable to a Penalty of not more than Three Pounds.

On Application of Teacher, Occupier to pay Sum for Schooling of Child, and deduct it from Wages.

17. The principal Teacher of a School which is attended by any Child employed in a Workshop may apply in Writing to the Occupier of such Workshop to pay such Sum as herein-after mentioned on account of any Child in respect of whom he may have duly granted a Certificate in pursuance of this Act, and after the Date of such Application the Occupier, so long as he employs the Child, shall pay to the principal Teacher of the said School for every Week that the Child attends that School the weekly Sum specified in the Application, not exceeding Twopence *per* Week, and not exceeding One Twelfth Part of the Wages of the Child. The Occupier may deduct the Sum so paid by him from the Wages payable for the Services of such Child.

Any Occupier who, after such Application, refuses to pay on Demand any Sum that may become due as aforesaid, shall be liable to a Penalty not exceeding Ten Shillings.

Inspector may disqualify for granting Certificates any Teacher who is unfit.

If an Inspector of Factories is satisfied, by Inspection of a School or otherwise, that the principal Teacher of a School who grants Certificates of School Attendance required under this Act ought to be disqualified for granting such Certificates for any of the following Reasons; namely,

1. Because he is unfit to instruct Children by reason either of his Ignorance or Neglect, or of his not having the necessary Books and Materials;
2. Because of his immoral Conduct;
3. Because of his continued Neglect to fill up proper Certificates of School Attendance—

in any such Case he may serve on the Teacher a written Notice, stating the Reason for such Disqualification. At the Expiration of Two Weeks from the Date of such Notice the Teacher shall, subject to the Appeal herein-after mentioned, be disqualified for granting Certificates.

The Inspector shall, so far as he can, serve on every Occupier of a Workshop who obtains Certificates from such Teacher a Notice to the like Effect as the Notice served on the Teacher, and also specifying a School which the Child employed in the Workshop

of

of such Occupier can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of the Child.

Any Teacher who is disqualified as aforesaid, and any Occupier of a Workshop who obtains Certificates from him, may, within Three Weeks after the Service of the Notice on the Teacher, appeal therefrom to One of Her Majesty's Principal Secretaries of State, who may confirm or reverse such Disqualification.

After a Teacher is disqualified for granting Certificates no Certificate given by him shall be deemed to be a Certificate in compliance with this Act, unless in the Case of there being no other School which the Child employed in a Workshop can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of such Child, or unless with the written Consent of an Inspector of Factories.

The Inspectors of Factories shall in their Reports to One of Her Majesty's Principal Secretaries of State report the Name of every Teacher disqualified under this Section during the preceding Six Months, the Name of the School at which he taught, and the Reason for the Disqualification; and in the Case of such Teacher's continued Neglect to fill up proper Certificates, shall report the Fact of such Neglect to the Committee of Council on Education, if such Teacher be employed in any School in receipt of annual Grants made by the Committee of Council on Education.

Penalty for forging, &c. Certificate.

Every Person who forges or counterfeits any Certificate required by this Act, or gives or signs any such Certificate falsely, or wilfully makes use of any forged, counterfeited, or false Certificates, or aids in or connives at any of the foregoing Offences, shall be guilty of a Misdemeanor, and be liable to be imprisoned for any Period not exceeding Three Months, with or without Hard Labour.

Local Authority to enforce Act.

18. It shall be the Duty of the Local Authority to enforce within their Jurisdictions the Provisions of this Act, so far as relates to any Powers or Authorities conferred on the Local Authority by this Act, and all Expenses incurred by them in enforcing the same may be defrayed out of any Funds in their Hands, or any Rates leviable by them and applicable to any Purpose relating to the Improvement, paving, cleansing, or Management of the Places within their Jurisdiction, or, in Cases where the Local Authority is in the Receipt of any Poor Rate, out of any such Rate.

Provision as to pleading that Workshop is a Factory.

19. Where any Proceedings are taken against any Person in respect of any Offence under this Act committed in or relating to a Workshop, it shall not be competent for the Defendant to prove that

that such Workshop is a Factory within the Meaning of any Act for regulating Factories unless he has previously given Notice of its being a Factory to the Inspector of Factories in manner required by any Act of Parliament in that Behalf.

Inspector or Sub-Inspector to be furnished with Certificate of his Appointment.

20. Every Inspector or Sub-Inspector of Factories shall be furnished with such Certificate of his Appointment as the Secretary of State may direct; and on applying for Admission to any Workshop, such Inspector or Sub-Inspector shall, if required, produce to the Occupier the said Certificate; every Person who forges or counterfeits any such Certificate, or makes use of any forged, counterfeited, or false Certificate, or falsely pretends to be an Inspector or Sub-Inspector of Factories, shall be guilty of a Misdemeanor, and be liable to be imprisoned for any Period not exceeding Three Months, with or without Hard Labour.

FIRST SCHEDULE referred to in the foregoing Act.

Temporary Exceptions.

1. During the first Six Calendar Months next ensuing the Day on which this Act is limited to come into operation, herein-after referred to as the Commencement of this Act, Children of not less than Eleven Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act:

2. During the first Thirty Calendar Months next ensuing the Commencement of this Act, Children of not less than Twelve Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act:

3. During the first Twelve Calendar Months next ensuing the Commencement of this Act, Children, Young Persons, and Women may be employed on Saturdays until Half-past Four o'Clock in the Afternoon:

4. During the first Thirty Calendar Months next ensuing the Commencement of this Act, Children, Young Persons, and Women may be employed in the Manufacture of Preserves from Fruit in the same Manner as they were employed therein before the passing of this Act.

5. During the First Thirty Calendar Months next ensuing the Commencement of this Act, Male Young Persons of not less than Sixteen Years of Age may be employed in any Workshop where the Manufacture of Machinery is carried on in the same Manner as if they were Male Persons exceeding the Age of Eighteen Years.

Permanent Exceptions.

6. Whereas the Customs or Exigencies of certain Trades require that Male Young Persons of the Age of Sixteen Years and upwards should be occasionally employed beyond the Hours allowed by this Act; it shall be lawful for One of Her Majesty's Principal Secretaries of State, on due Proof to his Satisfaction that such Customs or Exigencies exist, and that such occasional Employment is not injurious to the Health of such Male Young Persons, from Time to Time, by Order to be advertised in the London Gazette, or otherwise published in such Manner as he may think fit, to give Permission that in the Case of any particular Workshop or Class of Workshops Male Young Persons of Sixteen Years of Age and upwards may be employed for a Period not exceeding Fifteen Hours on any One Day:

Provided that—

1st. They are not so employed except between the Hours of Six in the Morning and Nine in the Evening.

2d. In addition to the Time allowed under this Act for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Five in the Evening.

3d. They are not so employed for more than Twelve Days in any Period of Four Weeks, nor on the whole for more than Seventy-two Days in any Period of Twelve Months.

7. In

Hours of Labour Regulation.

7. In any Workshop in which the mechanical Power is Water, and in any Workshop or Class of Workshops with respect to which One of Her Majesty's Principal Secretaries of State certifies by Order under his Hand that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than Six Nights in any Fortnight.

For the Purposes of the last-mentioned Provision, Night shall mean any Time between Six o'Clock in the Afternoon of One Day and Six o'Clock of the Morning of the following Day.

8. So much of this Act as forbids the Employment of Young Persons and Women on any Saturday after Two o'Clock of the Afternoon shall not apply to Male Young Persons employed in Day and Night Turns, changing every alternate Week, nor in any Week to any Woman or Young Person whose Hours of actual Work have not in any Day in such Week exceeded Eight.

9. The said Secretary of State, on Proof to his Satisfaction that the Customs or Exigencies of Trade, or any other special Circumstances, require the Alteration to be made, may, by Order to be advertised in the London Gazette, or otherwise published in such Manner as the Secretary of State may think fit, give Permission, with respect to any particular Workshop or Class of Workshops for all or any of the following Things; namely,—

(1.) That Children, Young Persons, or Women may be employed between Two and Eight o'Clock in the Afternoon on Saturday, provided that in any such Workshop or Workshops Arrangements are made to the Satisfaction of the said Secretary of State for giving on some Work-day in every Week to every Child, Young Person, or Woman employed a Half Holiday of equal Length either at the Beginning or at the End of their Day's Work; or,

(2.) That in any Workshop in which it is proved to his Satisfaction that Work does not commence before the Hours of Seven or Eight in the Morning Children, Young Persons, and Women may be employed on Saturday, or on any other Day on which the weekly Half Holiday is given, from the Hours of Seven in the Morning to Three in the Afternoon, or from Eight in the Morning to Four in the Afternoon. Subject to the usual Hours for Meals.

(3.) That Male Young Persons of not less than Sixteen Years of Age may be employed in the same Manner as if they were Male Persons exceeding the Age of Eighteen.

10. Where the Occupier of any Workshop is a Person of the Jewish Religion, and it his Custom to keep such Workshop closed on Saturday until Sunset, it shall be lawful for him to employ Young Persons or Women on that Day from after Sunset until Nine o'Clock at Night.

SECOND SCHEDULE referred to in the preceding Act.

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
ENGLAND AND WALES.	
The City of London and the Liberties thereof.	Commissioners of Sewers of the City of London.
Parishes within the Metropolis mentioned in Schedule (A.) to The Metropolis Management Act, 1855.	The Vestries incorporated by The Metropolis Management Act, 1855.
Districts within the Metropolis formed by the Union of the Parishes mentioned in Schedule (B.) to The Metropolis Management Act, 1855.	The Board of Works for the District incorporated by The Metropolis Management Act, 1855.
Boroughs, excepting Oxford.	The Mayor, Aldermen, and Burgesses, acting by the Council.
The Borough of Oxford and any Place not included in the above Descriptions, and within the Jurisdiction of a Local Board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or One of such Acts.	The Local Board.
Any Place not included in the above Descriptions, and under the Jurisdiction of Commissioners, Trustees, or other Persons entrusted by any Local Act with Powers of improving, cleansing, or paving any Town.	The Commissioners, Trustees, or other Persons entrusted by the Local Act, with Powers of improving, cleansing, or paving the Town.
Any Parish not within the Jurisdiction of any Local Authority herein-before mentioned, and in which a separate Rate is or can be levied for the Maintenance of the Poor.	The Vestry, Select Vestry, or other Body of Persons, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry.
SCOTLAND.	
Burghs - - -	The Magistrates and Town Council.
Places where Police Commissioners or Trustees exercise the Functions of Police Commissioners acting under "The General Police and Improvement (Scotland) Act," or Trustees or Commissioners acting under any General or Local Act.	The Police or other Commissioners or Trustees.
Any Place not included in the above Descriptions.	The Parochial Board having Jurisdiction in that Place.

Hours of Labour Regulation.

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
IRELAND.	
The City of Dublin - - -	The Right Honourable the Lord Mayor Aldermen, and Burgesses, acting by the Town Council.
Towns Corporate with Exception of Dublin.	The Mayor, Aldermen, and Burgesses, acting by the Town Council.
Towns having Town Commissioners under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners.
Townships having Commissioners under Local Acts.	The Township Commissioners.
Towns under Commissioners appointed by virtue of an Act made in the Ninth Year of George the Fourth, intituled "An Act to make Provision for lighting, cleansing, and watching of Cities and Towns Corporate and Market Towns in Ireland in certain Cases."	The Commissioners.
Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners.
Any Place not included in the foregoing Descriptions.	The Guardians of the Poor of the Union in which such Place is situate.

Explanation.

In this Schedule the following Words shall have the Meanings herein-after assigned to them; that is to say,

(1.) "Borough" in England shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Seventy-six, intituled "An Act to provide for the "Regulation of Municipal Corporations in England and Wales."

(2.) "Burgh" in Scotland shall mean any Place returning or contributing to return Members to Parliament.

THIRD SCHEDULE.

FORM OF CERTIFICATE OF SCHOOL ATTENDANCE.

School.

I do hereby certify that [*Christian Name and Surname of the Child*] has attended the above School for not less than Ten Hours during the Week ending on Saturday the of , 18 .

(Signed) *A.B.*
Principal Teacher of the above School.

Date of 18 .
Address of School.

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